

Also, a bill (H. R. 14622) granting an increase of pension to Ellar Bales; to the Committee on Invalid Pensions.

By Mr. COCHRAN of Pennsylvania: A bill (H. R. 14623) granting an increase of pension to Clarence R. Zerbe; to the Committee on Pensions.

By Mr. CURRY: A bill (H. R. 14624) granting an increase of pension to Mary E. Jasper; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 14625) for the relief of Gale A. Lee; to the Committee on Claims.

By Mr. SPENCE: A bill (H. R. 14626) for the relief of E. R. Henderson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10287. By Mr. BACON: Petition of residents of Southampton, N. Y., urging constitutional amendment eliminating count of aliens for apportionment purposes; to the Committee on the Judiciary.

10288. Also, petition of sundry residents of Flushing, N. Y., and vicinity urging the adoption of a constitutional amendment eliminating the count of aliens for apportionment purposes; to the Committee on the Judiciary.

10289. By Mr. BOEHNE: Petition of the National Aeronautic Association, Evansville, Ind., protesting removal of lighted airway between Danville, Ill., and Evansville, Ind.; to the Committee on the Post Office and Post Roads.

10290. Also, petition of Mrs. John Leigh and others, praying for the retention of the eighteenth amendment; to the Committee on the Judiciary.

10291. By Mr. COCHRAN of Pennsylvania: Petition of Woman's Home Missionary Society, signed by Mrs. C. H. Farr, president, and Mrs. E. M. Williams, secretary, urging the establishment of a Federal motion-picture commission, with a view to regulating and supervising the motion-picture industry; to the Committee on Interstate and Foreign Commerce.

10292. By Mr. GIBSON: Petition of Veterans Advisory Council, of Burlington, Vt., opposing reduction in benefits of World War veterans and veterans of foreign wars; to the Committee on Appropriations.

10293. By Mr. KELLY of Pennsylvania: Petition of citizens of East Pittsburgh, Pa., asking for revaluation of the gold ounce; to the Committee on Coinage, Weights, and Measures.

10294. Also, petition of citizens of Elizabeth, Pa., favoring the stop-alien representation amendment to the United States Constitution; to the Committee on the Judiciary.

10295. By Mr. LINDSAY: Petition of Substitute Post Office Employees' Association, New York City, favoring House Joint Resolution 576; to the Committee on Expenditures in the Executive Departments.

10296. Also, petition of America's Wage Earners' Protective Conference, New York City, favoring the passage of House bill 14413; to the Committee on Ways and Means.

10297. Also, petition of M. H. Haertel, advisory director, Wood Chemical Institute (Inc.), urging tax on certain imports according to depreciation of foreign currency; to the Committee on Ways and Means.

10298. By Mr. McFADDEN: Petition of the Board of Trade, Nicholson, Pa., by A. E. Hoadley, president, and W. P. Fahringer, secretary, favoring economy and ultimate lower taxation; to the Committee on Ways and Means.

10299. Also, petition of 50 members of the Church of Christ of Bloomsburg, Pa., by Mary L. Sharpless, protesting against all legislation to nullify, weaken, or repeal the eighteenth amendment, and for continued law enforcement; to the Committee on the Judiciary.

10300. By Mr. SPENCE: Petition of Mrs. John Roach and others, of Covington; Mrs. William Williams and others, of Newport; Frank J. Plantholt and others, of Bellevue; Mr. and Mrs. Mart Eisenman and others, of Ludlow; Bert M. Dickman and others, of Dayton, all of the State of Kentucky, urging the revaluation of the gold ounce and correcting

abuses growing out of mass production; to the Committee on Banking and Currency.

10301. By Mr. SUTPHIN: Petition of Woman's Christian Temperance Union, Middletown, N. J., opposing all legislation intending to nullify, weaken, or repeal the eighteenth amendment and the Volstead Act; to the Committee on the Judiciary.

10302. Also, petition adopted by the American Legion, Department of New Jersey, executive committee, on January 28, 1933; to the Committee on Appropriations.

10303. By the SPEAKER: Petition of the Council of the City of Zanesville, Ohio, urging that there be no repeal of the present laws enacted for the benefit of veterans and their dependents, and that the veterans be paid their adjusted-service certificates; to the Committee on Ways and Means.

10304. Also, petition of the National Association of Merchant Tailors of America, urging prompt action in balancing the Budget; to the Committee on Ways and Means.

10305. Also, petition of the National Association of Merchant Tailors of America, urging immediate passage of House bill 12044; to the Committee on Immigration and Naturalization.

10306. Also, petition of the National Association of Merchant Tailors of America, opposing further intervention of the Federal Government in private business; to the Committee on Expenditures in the Executive Departments.

10307. Also, petition of the National Association of Merchant Tailors of America, expressing its opposition to recognition of the Soviet Union; to the Committee on Foreign Affairs.

10308. Also, petition of the National Association of Merchant Tailors of America, expressing its opposition to the prepayment of the bonus; to the Committee on Ways and Means.

SENATE

FRIDAY, FEBRUARY 10, 1933

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, without whose help our labor is in vain, renew in us at this morning hour the sense of Thy gracious presence, and let it be to us this day a constant impulse to courage, trustfulness, and peace.

Thou hast committed to us a life of high vocation; let now Thine own breathing in our hearts interpret for us its sacred opportunities to serve the people of this Nation without stint of self, to share each other's burdens, and face with courage and discernment these pressing human problems with their changing tangled worth.

Touch with Thy glory every cloud of sorrow, shine with Thy light through the dull atmosphere of care, and above all else grant that humility may be our sanctuary and Thy service the very joy of our souls. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. Fess and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ORDER OF BUSINESS—THE CALENDAR

Mr. McNARY. Mr. President, I submit the following unanimous-consent agreement.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The Chief Clerk read as follows:

Ordered, by unanimous consent, That after routine morning business shall have been disposed of the Senate proceed to the consideration of unobjected bills on the calendar under the 5-minute rule, beginning with Order No. 1212 (where the Senate left off yesterday), and upon its completion that the Senate then take up the calendar at the beginning under Rule VIII.

The VICE PRESIDENT. Is there objection?

Mr. KING. Mr. President, may I inquire of the Senator why we should go back to the beginning of the calendar today, in view of the call of the calendar yesterday?

Mr. McNARY. If the Senator had observed the reading of the unanimous-consent proposal, he would have noticed that it provides that unobjected bills on the calendar, beginning where we left off yesterday, shall first be considered.

Mr. KING. I so understood.

Mr. McNARY. Thereafter we will return to the beginning of the calendar and proceed at once under the provision of Rule VIII, which permits a motion to be made to take up a bill if there is objection to its consideration. The limitation of the unanimous-consent agreement is 2 o'clock.

Mr. BROOKHART. Mr. President, I desire to submit a motion at the beginning to take up a bill.

The VICE PRESIDENT. That can not be done at this time. Is there objection to the unanimous-consent request?

Mr. BROOKHART. If unanimous consent is not given, I hope it will be in order to submit my motion.

The VICE PRESIDENT. It would not be in order until after routine morning business is disposed of.

Mr. BROOKHART. If it will be in order immediately after the close of routine morning business, that is all I care to know.

Mr. McNARY. The unanimous-consent agreement preserves the rights of Senators. If the Senator has a bill which he wants to move to take up, it is covered in the second provision of the unanimous-consent agreement.

Mr. BROOKHART. But not until after we have completed the calendar. That would be too late, because some one would be able to filibuster on the bill until 2 o'clock.

Mr. McNARY. First we would dispose of unobjected bills on the calendar, which would be run through very hastily. Then a motion can be made by any Member of the Senate to take up a particular bill.

Mr. BROOKHART. If that will take only a little while, I am satisfied.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dale	Keyes	Schuyler
Austin	Davis	King	Sheppard
Bailey	Dickinson	La Follette	Shipstead
Bankhead	Dill	Lewis	Shortridge
Barkley	Fess	Logan	Smith
Bingham	Fletcher	McGill	Smoot
Black	Frazier	McKellar	Steinwer
Blaine	George	McNary	Stephens
Borah	Glass	Metcalf	Swanson
Bratton	Glenn	Moses	Thomas, Idaho
Brookhart	Goldsborough	Neely	Thomas, Okla.
Bulkley	Gore	Norbeck	Townsend
Bulow	Grammer	Norris	Trammell
Byrnes	Hale	Nye	Tydings
Capper	Harrison	Oddie	Vandenberg
Caraway	Hastings	Patterson	Wagner
Clark	Hatfield	Pittman	Walcott
Connally	Hayden	Reed	Walsh, Mass.
Coolidge	Hebert	Reynolds	Walsh, Mont.
Copeland	Hull	Robinson, Ark.	Watson
Costigan	Johnson	Robinson, Ind.	White
Couzens	Kean	Russell	
Cutting	Kendrick	Schall	

Mr. WALSH of Montana. My colleague [Mr. WHEELER] is unavoidably absent from the Senate on account of illness.

Mr. NORRIS. I wish to announce that my colleague [Mr. HOWELL] is absent on official business of the Senate.

Mr. FESS. The junior Senator from Wyoming [Mr. CAREY] is also absent on official business of the Senate.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1858. An act for the relief of Harriette Olsen;

S. 2144. An act authorizing the Secretary of the Interior to grant a patent to certain lands to Charles R. Thornton;

S. 2395. An act authorizing the conveyance of certain land to school district No. 15, Lincoln County, Mont.;

S. 3504. An act for the relief of Lyman L. Miller; and

S. 4166. An act for the relief of James M. Griffin, disbursing agent United States Coast and Geodetic Survey, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 221. An act authorizing adjustment of the claim of the Wilmot Castle Co.;

S. 968. An act for the relief of certain employees of the Forest Service, Department of Agriculture;

S. 4165. An act to remove existing discriminations incident to certain land grants and to subject them to the same conditions that govern other land grants of their class; and

S. J. Res. 167. Joint resolution to carry out certain obligations to certain enrolled Indians under tribal agreement.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the council of the city of Pittsburgh, Pa., favoring the passage of legislation authorizing the issuance of a special series of postage stamps to commemorate an anniversary of Brig. Gen. Thaddeus Kosciuszko, which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a letter in the nature of a memorial from C. A. Pugsley, of Peekskill, N. Y., remonstrating against the passage of pending legislation depriving retired officers of the Army of their retired pay, etc., which was ordered to lie on the table.

Mr. ROBINSON of Indiana. Mr. President, I have received a memorial signed by a number of citizens of Gary, Ind., protesting against the modification of the prohibition law. I send it to the desk and ask that it be appropriately referred.

The memorial presented by Mr. ROBINSON of Indiana of sundry citizens of Gary, Ind., remonstrating against the repeal of the eighteenth amendment to the Constitution or the modification of the national prohibition law was ordered to lie on the table.

Mr. TYDINGS presented the petitions of Joseph Peter Morgan, M. H. Newgirk, Anthony J. Nieberding, and sundry other citizens, all of Baltimore, Md., praying for the passage of legislation to reevaluate the gold ounce, which were referred to the Committee on Banking and Currency.

He also presented the petition of members of Janet Montgomery Chapter, Daughters of the American Revolution of Maryland, and sundry other citizens of Baltimore, all in the State of Maryland, praying for the passage of the so-called Dies bill, being the bill (H. R. 12044) to provide for the exclusion and expulsion of alien communists, which was ordered to lie on the table.

Mr. COPELAND presented a petition of sundry citizens of St. Johnsville, N. Y., praying for the enactment of legislation providing for the exclusion of aliens in the count of population for apportionment of Representatives in Congress, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Buffalo, N. Y., and vicinity, praying for the enactment of legislation reevaluating the gold ounce, correcting certain financial practices, and eliminating abuses associated with present mass production, which was referred to the Committee on Banking and Currency.

He also presented a resolution adopted by Mohican Local, No. 155, International Brotherhood of Paper Makers, of Glens Falls, N. Y., favoring the imposition of a tariff that will adequately safeguard the pulp and paper industry, which was referred to the Committee on Finance.

He also presented a resolution adopted by General Henry W. Lawton Camp, No. 21, United Spanish War Veterans, Department of New York, of Brooklyn, N. Y., remonstrat-

ing against curtailment of pensions or other allowances to Spanish War veterans, which was referred to the Committee on Finance.

He also presented a resolution adopted by the Lackawanna Railroad Veterans' Association, of Hoboken, N. J., protesting against the ratification of the Great Lakes-St. Lawrence seaway treaty, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Woman's Club of Albany (Inc.), of Albany, N. Y., favoring the prompt ratification of the World Court protocols, which was ordered to lie on the table.

He also presented resolutions adopted at Detroit, Mich., by the annual convention of the National Association of Merchant Tailors of America, favoring the balancing of the Budget; reduction in governmental expenditures; the repeal of legislation which appropriates more than \$450,000,000 annually for the care of ex-service men whose disabilities have no connection with their war service; a fair and equitable settlement of debts owed by foreign nations to the United States; the immediate repeal of the prohibition law; the taxation of Government officials receiving salaries in excess of the exemption allowed private citizens; a wider distribution of the tax burden; legislation providing for the exclusion and expulsion of alien communists; and protesting against Government intervention in business; the recognition of Soviet Russia; and the cash payment of World War veterans' adjusted-compensation certificates, which were ordered to lie on the table.

He also presented a resolution adopted by Lodge No. 425, International Association of Machinists, of Utica, N. Y., favoring the passage of Senate bill 5125, to provide for cooperation by the Federal Government with the several States in relieving the hardship and suffering caused by unemployment, and for other purposes, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Great Neck, N. Y., remonstrating against further reductions in the salaries of Federal employees and reductions in personnel or appropriations for the Army, Navy, and Marine Corps, and favoring the building up of the Navy to treaty strength, which was ordered to lie on the table.

He also presented a resolution adopted by the Woman's Home Missionary Society of the village of Oriskany Falls, N. Y., protesting against the repeal of the eighteenth amendment or the modification of the national prohibition act, which was ordered to lie on the table.

PROHIBITION ENFORCEMENT

Mr. COSTIGAN. Mr. President, I send to the desk and ask to have noted in the RECORD and appropriately referred various and sundry memorials and other communications protesting against the repeal of the eighteenth amendment and the legalization of beer.

The VICE PRESIDENT. The memorials will be received and lie on the table.

The memorials and other communications presented by Mr. COSTIGAN remonstrating against the repeal of the eighteenth amendment to the Constitution or the passage of legislation to legalize the manufacture and sale of beer are from the following: Rev. J. E. Jensen and Mrs. R. T. Hallock and 21 other citizens of Briggsdale; Rev. R. W. Creighton, minister, and Milt Warner, clerk of session, and 49 other members of the First Presbyterian Church of Carr; 67 citizens of Greely, Gilcrest, La Salle, Evans, Pierce, Ault, Johnstown, Eaton, and Windsor; 113 citizens of La Junta; 29 citizens of Lamar; 51 citizens of Kit Carson County; 18 members of the Woman's Christian Temperance Union of Wray; 60 citizens of Montezuma County; 68 members of the Wheatridge Church, of Wheatridge; and 45 other citizens, all in the State of Colorado.

Mr. COSTIGAN. Mr. President, in addition to the memorials just presented, I send to the desk and ask to have noted and appropriately referred resolutions protesting against any modification of the Volstead Act or the repeal of the eighteenth amendment received from the members and officials of Colorado churches.

The VICE PRESIDENT. The resolutions will be received and lie on the table.

The resolutions presented by Mr. COSTIGAN are from the following:

The First Baptist Church of Arvada; The Arvada Presbyterian Church; the Free Methodist Church of Bayfield; the First Presbyterian Church, La Junta; the LeRoy Evangelical Church, Fleming; the Church of Christ, Denver; the Lowell Boulevard Church of the Nazarene, Denver; the Barnum Christian Church, Denver; the Alameda Evangelical Church, Denver; the Barnum Baptist Church, Denver; the Seventh Avenue Congregational Church, Denver; the Barnum Methodist Church, Denver; the United Churches of Otis; the combined churches and Woman's Christian Temperance Union of Englewood; and the First Baptist Church of Grand Junction.

A similar resolution signed by Harriet B. Graubeger, president sixth district of Colorado Woman's Christian Temperance Union at Fleming; Rev. E. R. Cameron, pastor First Presbyterian Church, Sterling; Rev. A. B. Breneman, pastor Evangelical Church, LeRoy; Rev. Martin E. Anderson, Central Presbyterian Church, Denver; Mrs. Arch Monroe, Sterling; B. J. Regatz, Sterling; Mrs. O. F. Pierson, secretary Sterling Woman's Christian Temperance Union, Sterling.

The Colorado Congress of Parents and Teachers, through its executive board, passed a motion favoring "no change in present national liquor laws." In forwarding a copy of the motion Mrs. Grace T. Shaw, State chairman of legislation, stated that the action of the board was an official expression of the 50,000 members of the Colorado Congress of Parents and Teachers.

Mr. COSTIGAN. There are herewith further presented for appropriate reference and consideration resolutions protesting against any modification of the Volstead Act or the repeal of the eighteenth amendment received from chapters of the Woman's Christian Temperance Union of Colorado.

The VICE PRESIDENT. The resolutions will be received and lie on the table.

Resolutions of chapters of the Woman's Christian Temperance Union in the State of Colorado were presented by Mr. COSTIGAN, as follows:

Limon, transmitted by Mrs. H. R. Jones, secretary; Colorado Springs, transmitted by Mrs. W. S. Round, president, and Gladys Narverud, corresponding secretary; Grand Junction, transmitted by J. E. Hornbaker, chairman resolutions committee; Dry Creek, transmitted by Anna D. Thorman, president, and Florence E. Briskey, secretary; Cedar-edge, transmitted by Mrs. Edith Ashurst, corresponding secretary; Burdett, transmitted by Mrs. J. G. Innes, president; Brush, transmitted by Mrs. Irene Stinton, president; Fort Morgan, transmitted by Mrs. E. R. Clarke, president, and Mrs. A. L. Shaffer, secretary; Wray, transmitted by Mrs. Cora Bower, chairman of meeting, and Mrs. Eda Errett, secretary; and Julesburg, transmitted by Mrs. Blanch W. Bushnell, president, and signed by 16 members.

Mr. SHEPPARD. Mr. President, I present certain memorials and communications in the nature of memorials from citizens of Texas opposing repeal of the eighteenth amendment, modification of the Volstead Act, legalization of beer, and supporting our present prohibition laws, and summary of such communications and memorials. I ask that these documents lie on the table and that the summary be printed in the RECORD.

The VICE PRESIDENT. The memorials will be received and lie on the table, and the summary printed in the RECORD.

The summary is as follows:

1. Communication from the Woman's Christian Temperance Union, Edinburg, Tex., Mrs. A. L. Ralston, president, dated November 30, 1932.
2. Resolution of Methodist Episcopal Church, San Juan, Tex., adopted at meeting November 28, 1932, A. E. Hughes, pastor.
3. Resolution adopted by Northwest Texas Conference of Methodist Episcopal Church South in session at Amarillo, Tex., November 13, 1932.
4. Letter in nature of memorial from Francis Willard Union, Woman's Christian Temperance Union, San Antonio, Tex., dated November 30, 1932.

5. Telegram in nature of memorial from Ministers' Association of Ranger, Tex., dated December 4, 1932.

6. Telegram in nature of memorial from Rev. George S. Slover, presiding elder, Stamford district, Methodist Episcopal Church South; Rev. C. R. Houghton, pastor, St. Johns Methodist Church, and Rev. Sam Morris, pastor First Baptist Church, Stamford, dated December 3, 1932.

7. Telegram in nature of memorial from Mrs. J. M. Glass, president San Antonio Woman's Christian Temperance Union, dated December 5, 1932.

8. Communication in nature of memorial from the Women's Missionary Society, First Methodist Church, Beeville, Tex., dated December 1, 1932.

9. Communication in nature of memorial from Women's Missionary Society, Hidalgo County, Tex., meeting at McAllen, Tex., December 1, 1932.

10. Resolution adopted by a county-wide prohibition meeting held at McKinney, Tex., transmitted by Rev. Claude M. Simpson, president Collin County United Prohibition Forces.

11. Communication in the nature of a memorial from mass meeting, Big Springs, Tex., held January 27, 1933.

12. Resolution adopted by mass meeting, Pittsburg, Tex., January 4, 1933, 500 present.

13. Communication in nature of memorial from citizens of Keene, Tex., in mass meeting assembled January 3, 1933.

14. Resolution from meeting United States Forces for Prohibition in Clarksville, Tex., January 1, 1933.

15. Communication in the nature of a memorial from citizens of Brenham, Tex., at mass meeting held January 7, 1933.

16. Resolution from mass meeting of citizens of Hill County at Hillsboro, Tex., January 1, 1933.

17. Memorial from St. Paul's Missionary Society, Houston, Tex.

18. Memorial from mass meeting of citizens of Fort Worth, Tex., January 7, 1933.

19. Memorial from members Morgan Sunday School, Lynn County, Tex.

20. Memorial from the Sunday school class, First Church of the Nazarene, Houston, Tex., dated January 23, 1933.

21. Communication in nature of memorial from local union Woman's Christian Temperance Union, Childress, Tex.

22. Memorial from Wesley Gleaner Sunday school class, Main Street Methodist Church, Cleburne, Tex.

23. Communication in nature of memorial adopted at mass meeting of citizens of Sherman, Tex., on January 7, 1933.

24. Communication in the nature of memorial from citizens of Denison, Tex., adopted at mass meeting on January 7, 1933.

25. Resolution in nature of memorial dated January 12, 1933, adopted by Workers' Conference Rehobath National Baptist Association, embracing 52 churches in Delta, Franklin, Hopkins, and other counties in Texas.

26. Communication in nature of memorial from mass meeting held at Seventh-day Adventist Church, Thrall, Tex., January 11, 1933.

27. Communication in nature of memorial from board of stewards, Oak Lawn Methodist Church, Dallas, Tex.

28. Resolution, Workers' Conference Pecos Valley Baptist Association held at Odessa, Tex., November 9, 1932, said association represents all Baptist churches in 11 West Texas counties.

29. Petition from 40 citizens of Colmisional, Tex.; petition from 60 citizens of Arcadia, Tex.; petition from 50 citizens of Wharton, Tex.; petition from 22 citizens of San Benito, Tex.; petition from 96 citizens of Beeville, Tex.; petition from 100 citizens of Kile, Tex.; petition from 320 citizens of Keene, Tex.; petition from 55 citizens of Palacios, Tex.; petition from 10 citizens of Brenham, Tex.; petition from Rosen Heights Woman's Christian Temperance Union, Fort Worth, Tex.; petition from citizens of Duane, Bangs, and El Campo, Tex.; petition from 57 citizens of Plains, Tex.; petition from 45 citizens of Dalworth Park, Tex.

Mr. SHEPPARD. Mr. President, I present a letter, addressed to President Hoover, from Richard H. Scott, president of the American Business Men's Prohibition Foundation, Chicago, Ill., which I ask may be printed in the RECORD; and as the joint resolution is on the calendar, I ask that the letter may lie on the table.

There being no objection, the communication was ordered to lie on the table and to be printed in the RECORD, as follows:

CHICAGO, December 17, 1932.

The Hon. HERBERT HOOVER,
President of the United States,
Washington, D. C.

DEAR MR. PRESIDENT: In the crisis which the Nation faces at the present moment in regard to the liquor question, I take the liberty, as president of the American Business Men's Prohibition Foundation, of submitting the following statements of fact, which comprise our answer of economic findings to the question, "What of industry if beer returns to business?"

Those who profess to see in the relegalizing of beer an asset to legitimate business and an aid to the return of prosperity, ignore, or at least overlook, the following facts:

(1) The commodity of the brewing traffic, beer, is always and everywhere a direct competitor with legitimate business for the people's current income.

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(2) The return of the legalized liquor traffic, of which the beer trade was 90 per cent of the total in preprohibition days, would directly and destructively affect many legitimate industries which have grown remarkably since the enactment of the eighteenth amendment, and which, contrary to the effect of the beer traffic, have through their own growth permanently benefited countless other legitimate businesses.

(3) Wherever in the old days the liquor traffic and the beer trade were legalized and licensed, there local industry in the long run always suffered, and crime, disorder, disease, and destitution inevitably followed.

AVAILABILITY

Even superficial examination of the reasons for this would reveal that the cause in all cases was not the saloon nor any specific variety of drink but the availability of law-protected alcoholic liquor in beverage form.

DEMAND

A very large proportion of the alleged "demand" for alcoholic beverages was always the result of high-pressure salesmanship of a product legalized and protected by the Government. Stripped of the artificial stimulations of advertising and Government sanction, the liquor traffic, condemned by the findings of science, the demands of industry, and the moral judgment of civilization, can only continue as a result of our failure to educate the people regarding it and to more adequately administer the laws which protect the Nation from its legal ravages.

CONSUMPTION

Because of this it is natural to find that there has been an emphatic decline in the production and consumption of beer since the coming of prohibition, and authentic surveys confirm this conclusion.

Let us take for the purpose of comparison the years 1914 to 1930, since 1914 represents practically the peak of consumption of all alcoholic liquors in the United States. In that year, according to Government records, 2,252,272,000 gallons of liquor were consumed, which, on the basis of the formula approved by the United States Government, shows a total of absolute alcohol consumed of 156,583,383 gallons.

Following 1914 began a steady increase in local and State prohibition territory throughout the country. In 1917 the total consumption was, in round figures, 2,095,000,000 gallons. The rapid increase in prohibition territory was still further reflected in 1918, when the total consumption dropped to 1,894,181,043 gallons, which, in terms of absolute alcohol consumed, was approximately 117,761,451 gallons.

BEER CONSUMPTION DROPS

In 1930 an exhaustive and scientific survey was made by the Government of all possible materials entering into the manufacture of illegal alcoholic liquors and the figure for possible production based upon this survey, including a liberal estimate of even smuggled liquors, revealed a possible consumption of absolute alcohol of 73,831,172 gallons, a drop of 65 per cent over the 1914 figures.

The same survey indicated that, while the amount of distilled liquors had distinctly declined, the amount of beer consumed had been reduced from 2,056,407,108 gallons in 1914 to 683,000,000 gallons for the fiscal year ending June 30, 1930. Even the Association Against the Prohibition Amendment, the most radical wet organization in the country, through its statistical department, admits that the consumption of beer in 1930 did not exceed the Government estimate.

These figures for absolute alcohol do not include those for denatured alcohol for use in industry and the arts, which, as noted on Table II, page 19, of the United States Treasury Department Bureau of Industrial Alcohol Statistics Concerning Intoxicating Liquors (December, 1931), show that a total of 17,811,078 proof gallons of ethyl alcohol were withdrawn for denaturation in 1914 and the annual total of such denatured alcohol steadily grew, the 1930 figure being 148,303,438 gallons.

The answer to the question, "Will the brewer's dray bring prosperity with beer?" should be obvious to the merest tyro in the field of industry. Every beer truck under a relegalized traffic would be a concrete threat against the prosperity of every legitimate business within the vicinity of the brewers' retail outlets.

A modern truck carrying a load of 40 barrels of legalized beer would be sold for an ultimate retail total, conservatively estimated, of approximately \$700 per load.

Spent for beer in any community, this \$700 would be diverted from legitimate channels of trade and entertainment, and as a result the butcher, the baker, the grocer, the milk dealer, the soft-drink dispenser, the candy and ice cream retailer, the clothier, the shoe store, the dry-goods merchant, the radio store, the movies, the auto sales agencies—these and a host of others would suffer. And multiplied into a hundred million barrels, which the proponents of beer profess to believe would be sold when relegalized, we would have 2,500,000 truck loads of competition with all retail industry of necessities and wholesome luxuries, which at the moderate \$700 estimate per load as above noted would divert \$1,750,000,000 from legitimate business to the capacious pocket-books of the brewers.

IF BEER RETURNS TO BUSINESS

Therefore "if beer returns to business," relegalized by State and national governments and freed from the ban upon its advertising, open display and high-pressure sale, the result would simply be that several billion dollars a year would probably be coerced

from the people's pockets to buy intoxicating beer, and this total would, therefore, automatically be diverted from legitimate industry.

The claim of the brewers and their champions that the beer they desire to have relegalized will not be intoxicating is, and in the nature of things must be, a flat misstatement. There would be no liquor problem to-day were beer—the beer it is proposed to relegalize—actually nonintoxicating. As the brewer well knows, a nonintoxicating beer would necessarily have to be a beverage so dealcoholized as to lack liquor habit-forming power. If it were not habit forming they would never expect to coin billions out of it and if it were not habit forming there would be no objection to it now or at any other time.

If the brewers did not hope to be granted the right to market beer containing sufficient alcoholic content to make their product a habit-forming intoxicant, there would be no propaganda on its behalf.

Everything depends then, so far as the brewers' expectations go, upon legal sanction to sell a beverage, every drink of which will automatically create a thirst for more.

From the point of view of legitimate business, therefore, could there be anything more absurd than such a proposal of the brewers and their apologists?

The great need of America to-day in emerging from the present depression is the strengthening of constructive industry, which self-evidently means every kind of trade, craft, or business that not only gives value for value received but aids in promoting demand for other legitimate products and adds to the well-being of society.

In these three essentials the beer trade, legal or illegal, falls completely.

Let us look for a moment at the specious claim that to relegalize beer would promote the return of prosperity.

Relegalized beer, so they say, would immediately mean reemployment for many thousands; would reestablish a market for millions of bushels of grain; would help the cooper, the bottle maker; would increase the demand for coal, power, and transportation; would prove a boon to real estate and advertising.

All of these much-advertised prospective benefits of a re-established beer trade fade into unsubstantial illusion and mirage when viewed in the light of the unavoidable industrial damage done by the traffic under all conditions.

Under old license conditions there was a continuous army of millions of men wholly or partially incapacitated by beer and other liquors, their labor efficiency reduced, their economic standing imperiled or destroyed, as victims of the habit-forming appeal of the legalized liquor shop. Under the reestablishment of the beer trade, that army would once more be rapidly recruited.

So far as the farmer is concerned, facts show that prohibition has benefited him in many concrete ways. For example, in a single expanding field since the beer trade and the liquor traffic were legally banned, the demand for dairy products alone now require the production of more than three times as much grain as was used by the entire liquor traffic in its most prosperous days.

Instead of prohibition dealing a blow to the barley farmers of the country, the production of that grain alone has increased from 256,225,000 bushels in 1918, the highest preprohibition point of production, to 325,893,000 bushels in 1930, requiring for its growth 12,437,000 acres, as compared with 9,470,000 acres in 1918, the highest average before national prohibition.

As far as legitimate business is concerned, consider a few facts. From 1917 to 1929 (for 10 years under the eighteenth amendment) the per capita consumption of milk increased from 754.8 pounds to 997.5 pounds.

Another even more significant fact is the growth of the soft drink business during the past decade. The total value of soft drinks produced in 1930 is estimated by the Association of American Bottlers of Carbonated Beverages as \$625,000,000, a production increase of 100 per cent since 1922.

BEER AND THE AUTOMOBILE

The automobile industry is best gaged by the fact that the registration of automobiles has grown from 9,232,000 in 1920 to 25,814,103 in 1931. During that time the production of inexpensive cars has advanced from 59 per cent of the total production in 1920 to more than 83 per cent of the total production of 1930, an actual production of 26,180,346 low-priced cars in the 11 years, 1920 to 1930.

The owners of these low-priced cars are, for the most part, to be found naturally among the 68 per cent of the people whose annual income is \$5,000 or less. And it is from this more than two-thirds of the American people that the brewers must expect the larger part of their prospective income were beer relegalized.

Similarly, since prohibition was enacted, the movie theater business has grown from a baby industry to one whose returns now exceed \$1,500,000,000 annually.

The assets of the building and loan associations since the adoption of the eighteenth amendment have grown from \$20 to \$67 per capita at the last report, in 1928, while memberships in these associations have increased from 41 to 100 per 1,000 population. Meanwhile savings deposits show a growth from \$144 to \$233 per capita, while life insurance in force has grown from \$342 per capita in 1921 to \$858 in 1929.

The difference in many other lines is marked, and all these figures to a large extent afford a significant explanation as to why millions of unemployed have been able to endure the present depression with less distress than in previous similar periods.

If the beer trade and liquor traffic had been legalized during all three years and were now competing with business in the old

and flagrant way of license days, our industrial conditions would be far more critical than they are.

The conclusion of our discussion may be summed up in brief as follows:

(1) Relegalizing beer would simply afford Government sanction and protection to what was always in license days a dangerous competitor for the people's dollar in all legitimate industry.

(2) The "demand" for beer and alcoholic beverages was always in the old days to a large extent the result of artificial stimulations of open sale, advertising, and Government sanction.

(3) According to all estimates, there has been a startling drop in beer production and consumption under prohibition as compared with the heyday of liquor prosperity.

(4) Relegalizing beer would be a costly means of "priming" the pump of prosperity, because it would immediately and damagingly affect legitimate business in the process.

(5) Local industry and, per se, national industries directly represented by these local outlets always suffer, both directly and indirectly, by the open competition of beer and the liquor industry.

(6) The beer now sought to be relegalized by the brewers and their champions is both patently and essentially an intoxicating beverage, as a nonintoxicating beer would necessarily have to be a beverage so dealcoholized as to lack habit-forming power, and therefore lack the element of superprofits for the makers.

(7) The great economic need in hastening the return of prosperity is the promotion of constructive industry and a more intelligent and effective support of the Government's able and unfaltering administration of prohibition.

I believe it is the duty and the plain common sense of all thoughtful American business executives and industrial leaders to stand as one man against these insidious bribes of an outlawed and discredited traffic and rather point the way, not back to the economic and destructive period of license but forward to a saner and more adequate State and local administration of our beneficent prohibition legislation.

In my opinion, the eighteenth amendment should be supported by American industry as a reasonable industrial safeguard and legislative advance that, given necessary time, will help to lift our Nation economically and socially to more efficient bases of commerce and ultimately higher standards of living.

Sincerely,

RICHARD H. SCOTT,

President American Business Men's Prohibition Foundation.

PROGRAM OF NATIONAL ECONOMY LEAGUE RELATIVE TO VETERANS' BENEFITS

Mr. ASHURST presented a resolution adopted by Morgan McDermott Post, No. 7, American Legion, of Tucson, Ariz., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas under recommendations of the Economy League Federal aid to veterans' widows, and orphans in the State of Arizona would be reduced annually approximately \$5,459,922, or 80 per cent of the total expenditure, which was \$6,824,903 in the year 1932. Elimination of this amount would increase local and State taxes fully 20 per cent and, in addition, place a heavy burden on local and State charity organizations if the league's program as recommended is adopted; and

Whereas the burden of hospital care and compensation is now borne by the Federal Government and, of course, the cost comes out of Federal income derived from big incomes, which is just and proper, and is a moral obligation of the Federal Government for which these ex-service men served in a great emergency, and the burden should not be shifted to the shoulders of the property owners who pay local and State taxes; and

Whereas the veterans affected are mostly either bed-ridden or unable to follow continuously a substantially gainful occupation it would be practically compulsory for the cities, counties, and State to provide them with proper hospitalization and the necessities of life; and

Whereas the National Economy League's program recommends that all veteran activities be conducted at one office in Washington, which, if accomplished, would eliminate the branch of the Veterans' Administration in Phoenix, thereby depriving worthy veterans of the prompt, essential, and beneficial care and relief now given them by that office: Therefore be it

Resolved, That we, the members of Morgan McDermott Post, No. 7, American Legion, Tucson, Ariz., in regular session assembled on this 2d day of February, 1933, hereby respectfully request that Hon. HENRY F. ASHURST read this resolution before the Senate of the United States and insert the same in the CONGRESSIONAL RECORD.

Attest:

SAMUEL H. FOWLER, Commander.
CECIL H. CLARK, Adjutant.

PRICE OF ROYALTY OILS IN WYOMING

Mr. KENDRICK. Mr. President, I have here a joint resolution passed by the Wyoming Legislature. It has to do with the prices now being paid in Wyoming for royalty oils, both Federal and State. It is in the form of an appeal to the Secretary of the Interior to exercise such influence as he may to induce the operators and refiners either to pay a better price for these royalty oils, in which both the Federal

Government and the States are interested, or to exercise every consistent authority he has in reducing the production in those fields.

The VICE PRESIDENT. The joint resolution will be printed in the RECORD.

The joint resolution was referred to the Committee on Public Lands and Surveys and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, A. M. Clark, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of Enrolled Joint Resolution No. 5, Senate, Twenty-second Legislature of the State of Wyoming, being original Senate Joint Resolution No. 4, approved by the governor on February 4, 1933, at 4.50 p. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 6th day of February, A. D. 1933.

[SEAL.]

A. M. CLARK, Secretary of State.
By C. J. ROGERS, Deputy.

Resolution urging the necessary action by the Secretary of the Interior of the United States and the State Board of Land Commissioners of the State of Wyoming to establish an equitable basis and fair market value and price for the crude oil produced from Federal and State owned lands in the Salt Creek field, Natrona County, Wyo.

Whereas the act of Congress entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, provided that 37½ per cent of the amounts derived from bonuses, royalties, and rentals received upon oil and gas leases granted by the United States of America shall be paid by the Secretary of the Treasury to the State within the boundaries of which the leased lands are located and 52½ per cent of such amount shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress; and

Whereas sections 78-402, Wyoming Revised Statutes, 1931, provides that the said moneys so received by the State of Wyoming from such royalties, bonuses, and rentals shall be utilized for the benefit of the schools, highways, university, and counties of this State; and

Whereas the development of the State of Wyoming requires the construction of additional reclamation projects within the State limits by the Federal Reclamation Service; and

Whereas the major crude-oil producing and purchasing companies operating in the Salt Creek field in Natrona County, Wyo., utilize their production in their own refineries; and

Whereas it would seem that the posted field price for the oil produced from such Salt Creek field is so low as to be unwarranted by the market price of its refined products; and

Whereas the basis for such reduction in the posted price is alleged to be in part the bootlegging of gasoline within the State of Wyoming and adjacent States; and

Whereas the production and sale of crude oil from the Salt Creek field at unwarrantably low posted prices will cause a material reduction in the oil royalties to be received by the State of Wyoming and the Federal Reclamation Service; and

Whereas the creation of such low posted and market price for crude oil within the State of Wyoming by the companies which not only produce, purchase, and/or refine such oil but also pay taxes upon the value of such oil at an assessed valuation equal to the posted price, if unwarranted by the values and market prices of refined products obtained from such crude oil, is arbitrary in its nature and unfair in its results and reduces the taxable property valuation of the State, to the detriment of all other taxpayers whose property has not been and can not be likewise reduced; and

Whereas it is to the best interests of the Federal Government, of all States benefiting from the Federal Reclamation Service, and of the State of Wyoming to compel operators of leases in the Salt Creek field to keep the crude oil in the ground rather than produce and sell it at a price which is unwarranted; and

Whereas the State of Wyoming is the owner of a school section located in the said Salt Creek field, has leased said land to a major oil operating company, and is receiving royalty as the result of the operations and the producing of crude oil from said land: Now, therefore, be it

Resolved by the Senate of the Twenty-second Legislature of the State of Wyoming (the House of Representatives concurring), That the Secretary of the Interior of the United States be, and he is hereby, requested and urged to take action forthwith under the leasing law of February 25, 1920, and the decision in the case of Wilbur, Secretary of the Interior, v. Texas Co. (40 Fed. Rept. (2d series) 787) to prevent the production and sale of oil from lands operated under Federal leases in the Salt Creek field at a price which is unfair to the Federal Government, the State of Wyoming, and all States benefiting from the Federal Reclamation Service; and be it further

Resolved, That the Board of Land Commissioners of the State of Wyoming be requested and urged to cooperate with the Secretary of the Interior of the United States for the purpose of obtain-

ing a fair price for all production from said Salt Creek field through necessary action in relation to the production from its leased lands, even though such action may result in a radical curtailment of the production from that field until such time as the market price for the said crude oil is established upon a basis which is equitable to all those interested; and be it further

Resolved, That one certified copy of this resolution be forwarded to the President of the United States, one copy to the Secretary of the Interior of the United States, one copy to each member of the Board of Land Commissioners of the State of Wyoming, and one copy to each member of the Wyoming congressional delegation.

WM. M. JACK,
Speaker of the House.
ROY H. CAMERON,
President of the Senate.

Approved 4.50 p. m., February 4, 1933.

LESLIE A. MILLER, Governor.

BIMETALLIC CURRENCY

Mr. NORRIS. Mr. President, I present a resolution of the Senate of the State of Nebraska, which, under the rule, I ask may be read and appropriately referred.

The resolution was read and referred to the Committee on Finance, as follows:

Resolution respecting bimetallic currency

Whereas there is pending in the Congress of the United States a bill to establish a bimetallic system of currency, employing gold and silver, to fix the relative value of gold and silver and to provide for the free coinage of silver, and for other purposes; and

Whereas it is the sense of this senate that the needs of the citizens of Nebraska and of the United States will be best served under present economic conditions by some sound system of inflating the currency: Now, therefore, be it

Resolved by the Senate of the State of Nebraska in Forty-ninth regular session assembled:

1. That we hereby memorialize and petition the United States House of Representatives and the United States Senate to consider favorably the Wheeler bill (S. 2487) now referred to and in the hands of the Committee on Finance of the United States Senate to the end that relief may be afforded to those States of the Union in which silver is mined in order that price of silver may be normally stabilized; that the aspects of the silver question be dealt with in so far as legislation is concerned as a necessary commodity as well as a monetary problem.

2. That certified copies of this resolution be sent to the Vice President of the United States, the Speaker of the House of Representatives, and each of the United States Senators and Representatives from Nebraska.

Introduced January 12.

Adopted January 13.

MEXICAN MIGRATORY LABOR

Mr. NORRIS. Mr. President, I present another resolution of the Senate of the State of Nebraska, which, under the rules, I ask may be read and appropriately referred.

The resolution was read and referred to the Committee on Immigration, as follows:

Resolution, Mexican migratory labor (introduced by Senators McCarter and Van Kirk)

Whereas the regulations and the restrictions of aliens migrating from the Republic of Mexico into the State of Nebraska and surrounding States is a Federal problem; and

Whereas the Bureau of Immigration and Naturalization of the Departments of Labor and Commerce has been designated by Federal law with the duty of enforcing Federal statutes on the subject of alien immigration; and

Whereas all questions relating to the entrance of aliens into the United States and the restrictions upon their movements while within the United States have many times been held to be Federal problems and within the purview of the Federal Labor Department; and

Whereas Mexican migrants, constantly increasing each year in number, are each year, coming into the State of Nebraska and lowering the standard of living of our splendid citizens who are skilled and trained in connection with the production of sugar in the sugar-beet industry of the State of Nebraska; and

Whereas no legislation enacted by the State of Nebraska can ever be enacted which will bring relief to the great mass of our sugar-beet workers without remedial legislation by the Congress of the United States limiting the quota of the Republic of Mexico or by more general powers granted to the Bureau of Immigration and Naturalization: Now therefore be it

Resolved by the Senate of the State of Nebraska in forty-ninth regular session assembled, 1. That we hereby memorialize and petition the United States House of Representatives and the United States Senate to act favorably upon any proposed legislation which will restrict and limit the perennial influx of cheap Mexican labor which seek admission to the United States; and that at least during the present session of Congress that the Bureau of Immigration and Naturalization be directed to investigate ways and means of relieving Nebraska labor from competing with Mexican labor.

2. That a certified copy of this resolution be sent to the Vice President of the United States, the Speaker of the House of Representatives, and to each of the United States Senators and Representatives from Nebraska.

Introduced January 18, 1933.

Adopted January 20, 1933.

MEMORIALS OF THE LEGISLATURE OF IDAHO

Mr. BORAH. I present two memorials passed by the Legislature of the State of Idaho, which I ask may be printed in the RECORD and referred to the Committee on Finance.

The memorials were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

STATE OF IDAHO, DEPARTMENT OF STATE.

I, Franklin Girard, secretary of state of the State of Idaho, and legal custodian of the original enrolled copies of all acts passed at the various sessions of the Legislature of the State of Idaho, do hereby certify that the annexed constituted a full, true, and complete transcript of the original enrolled copy of House Joint Memorial No. 4, enacted by the twenty-second session of the Legislature of the State of Idaho, and filed in this office the 3d day of February, 1933.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise, the capital of Idaho, this 4th day of February, A. D. 1933.

[SEAL.]

FRANKLIN GIRARD,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

House Joint Memorial No. 4 (by Smith (Custer), and McAfee), A joint memorial to the honorable the Reconstruction Finance Corporation of the United States of America.

Received and filed February 3, 1933.

FRANKLIN GIRARD,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

House Joint Memorial 4 (by Smith (Custer), and McAfee)

To the honorable the Reconstruction Finance Corporation of the United States of America:

We, your memorialists, the House of Representatives and the Senate of the State of Idaho, in legislative session assembled, most respectfully represent and petition as follows:

Whereas the future growth and prosperity of the south-central Idaho counties of Butte and Custer depend largely upon the action taken with regard to an application on file to borrow funds to purchase additional water for the lands in the valley proper; and

Whereas certain waters of Big Lost River are now made appurtenant to a Carey Act project contiguous to the lands supplied by natural-flow rights; and

Whereas it has been demonstrated for more than 12 years that diversion of this large quantity of water to the Carey Act project is detrimental to the prosperity of the people of Big Lost River Valley; and

Whereas the said condition can be remedied by purchase of the Carey Act project and its elimination from the irrigated area served by Big Lost River; and

Whereas the people of Big Lost River Valley have applied to the Reconstruction Finance Corporation for a loan with which to purchase the waters and storage rights of the Carey Act Co., and thereby eliminate from future competition of agriculture approximately 15,000 acres of land; and

Whereas Dr. Elwood Mead, Commissioner of Reclamation of the United States Department of the Interior, has made a personal inspection of the Big Lost River Valley irrigation system and has given his approval of the engineering feasibility of the plan; and

Whereas the application for a loan is now before the Reconstruction Finance Corporation; and

Whereas the twentieth session of the Idaho Legislature memorialized Congress to loan \$500,000 to the settlers of Big Lost River for the purpose of acquiring the Carey Act rights, and therefore the plan has been officially indorsed: Now, therefore, be it

Resolved by the House of Representatives of the State of Idaho (Senate concurring), That we most respectfully urge the Reconstruction Finance Corporation to favorably consider the application for a loan, so that the improvements above referred to may be accomplished; be it further

Resolved, That the secretary of state of the State of Idaho be authorized, and he is hereby directed, to forward this memorial to the Reconstruction Finance Corporation, and that copies hereof be sent to the Senators and Representatives in Congress from this State.

This house joint memorial passed the house on the 30th day of January, 1933.

ROBERT COULTER,
Speaker of the House of Representatives.

This house joint memorial passed the senate on the 30th day of January, 1933.

GEO. E. HILL,
President of the Senate.

I hereby certify that the within House Joint Memorial No. 4 originated in the house of representatives during the twenty-second session of the Legislature of the State of Idaho.

DONALD D. STEWART,
Chief Clerk of the House of Representatives.

STATE OF IDAHO, DEPARTMENT OF STATE.

I, Franklin Girard, secretary of state of the State of Idaho and legal custodian of the original enrolled copies of all acts passed at the various sessions of the Legislature of the State of Idaho, do hereby certify that the annexed constitute a full, true, and complete transcript of the original enrolled copy of House Joint Memorial No. 7, enacted by the twenty-second session of the Legislature of the State of Idaho and filed in this office on the 4th day of February, 1933.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise, the capital of Idaho, this 4th day of February, 1933.

[SEAL.]

FRANKLIN GIRARD,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

House Joint Memorial No. 7 (by judiciary committee), to the honorable the Senators of the United States of America.

Received and filed February 4, 1933.

FRANKLIN GIRARD,
Secretary of State.

IN THE HOUSE OF REPRESENTATIVES.

House Joint Memorial 7 (by judiciary committee)

To the honorable the SENATORS OF THE UNITED STATES OF AMERICA:

We, your memorialists, the Legislature of the State of Idaho, respectfully represent:

That relief through appropriate legislation must immediately be extended to those engaged in agriculture, to home owners, and to others who now find themselves in a condition, because of a depression which is not of their making, that they can not meet obligations that have been justly incurred and, through no fault of theirs, are about to lose the savings and accumulations of a lifetime;

That the relief that can be had under the proposed amendment to the national bankruptcy act recently passed by the House of Representatives of the Congress of the United States (H. R. 14359) will be more effective, more far-reaching, and more uniform in its operations than any relief that can be had through State legislation;

We would, therefore, most respectfully but earnestly urge your honorable body to promptly pass the proposed amendments to the national bankruptcy act, and we would urge that such action be taken at the earliest possible date, to the end that if relief in this national crisis can not be had through Federal legislation, that we may have time before the adjournment of our regular session to enact such State legislation, inadequate as it may be, to remedy a situation that seems to imperil our social and economic systems: Be it

Resolved by the House of Representatives of the State of Idaho (the Senate concurring), That the secretary of State be instructed to send immediately by air mail copies of the foregoing memorial to the Vice President of the United States and to Senators WILLIAM E. BORAH and JOHN THOMAS.

This house joint memorial passed the house on the 3d day of February, 1933.

ROBERT COULTER,
Speaker of the House of Representatives.

This house joint memorial passed the senate on the 3d day of February, 1933.

GEO. E. HILL,
President of the Senate.

I hereby certify that the within House Joint Memorial No. 7 originated in the house of representatives during the twenty-second session of the Legislature of the State of Idaho.

DONALD D. STEWART,
Chief Clerk of the House of Representatives.

RESOLUTIONS ADOPTED BY MASS MEETING OF CITIZENS OF TULSA, OKLA.

Mr. THOMAS of Oklahoma. Mr. President, on Monday night a thousand citizens of Tulsa, Okla., made up of bankers, business men, and real-estate men met in mass convention and adopted two resolutions. I present the first resolution, in the nature of a petition to Congress, and ask that it may be read at the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read the resolution, as follows:

Resolution

Be it resolved by this mass meeting of citizens of the city of Tulsa, Okla., duly assembled in the Convention Hall of said city, That—

Whereas for many years there has been a shortage of money in circulation sufficient to carry the credit structure of the country and resulting in the inability of banks to carry a proper cash reserve; and

Whereas the situation has become more critical since credit has been demoralized; and

Whereas the relative value of the gold dollar, compared to commodities, has been increased from approximately 60 cents, when most of the existing debts were contracted, to \$1.60, so that it now in effect takes \$1.60 to pay a 60-cent debt; and

Whereas the present dollar is therefore a dishonest dollar, and the existing depression is a direct result of this fact, and the obvious remedy is to depreciate the value of gold to where it was when the debts were contracted which, under the natural law of supply and demand, can be done by lessening the demand for gold; and

Whereas we realize that one urgent need of to-day, in order to promote the general welfare, is a more plentiful supply of a cheaper, sound money, having, so far as is practicable, an intrinsic value 100 per cent of face, and depending as little as possible upon credit of Nation, bank, or individual, together with measures which will stabilize the relative value of the dollar to commodities; and

Whereas it has always been the declared purpose of the United States Government to adopt the free coinage of both gold and silver if same could be adopted by international agreement; and

Whereas practically all foreign nations have abandoned gold as a single monetary standard: Therefore be it

Resolved—

First. That we favor an expansion of the national currency, including the immediate remonetization of silver, and also favor the stabilization of commodity values, and, in this latter connection, we give our unqualified endorsement to the Rankin-Thomas bill.

Second. That instead of issuing tax-free short-term certificates of indebtedness for the necessary operating expenses, the Government issue United States notes in denominations of \$5, \$10, and \$20.

Third. That all money issued by the United States Government shall be legal tender at face value for all debts—public and private—including duties on imports and interest on public debt.

Fourth. That a copy of this resolution be sent to Senators THOMAS and GORE and to Congressman DISNEY and other Representatives in Congress from this State.

Adopted unanimously at Tulsa, Okla., this 6th day of February, 1933.

Attest:

MERRITT J. GLASS, *Chairman of Meeting.*
C. C. ROBERTS, *Secretary.*

Mr. THOMAS of Oklahoma. I ask that the resolution just read may be referred to the Committee on Banking and Currency.

The PRESIDING OFFICER (Mr. FESS in the chair). Without objection, it is so ordered.

Mr. THOMAS of Oklahoma. The second resolution which I present calls for two points to be considered by the Congress: First, that as to such foreclosure proceedings as are controlled by the Government, that is, under Federal land bank laws and the Federal home-loan bank system, and likewise the Reconstruction Finance Corporation, those agencies be requested and laws be passed, if necessary, to prevent the further institution of foreclosure proceedings upon their loans; second, that if foreclosure proceedings have been instituted they be withheld from further action. That is the first petition.

The second is that Congress take steps to influence the Comptroller of the Currency in the examination of national banks to cease his present policy of valuing stocks and bonds offered for collateral at their present market value and ask that the comptroller be instructed to have values placed upon such stocks and bonds at their actual value rather than their market value.

I ask that this resolution may be printed in the RECORD in full and referred to the Committee on Banking and Currency.

There being no objection, the resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Resolutions (by R. W. Kellough)

Be it resolved by this mass meeting of citizens of Tulsa, Okla., duly assembled in the Convention Hall of said city, That Senator ELMER THOMAS and Senator T. P. GORE and Congressman W. E. DISNEY are hereby requested to immediately take steps to obtain orders from the proper Government authorities directing that all banks, insurance companies, building and loan companies, or other institutions which have borrowed, or are attempting to borrow, funds from the Reconstruction Finance Corporation, or from any other department of the Federal Government, including the Federal home-loan bank, shall not institute any foreclosure suits, and if they have already commenced any that no further proceedings be taken therein; and be it further

Resolved, That these Senators and Congressman are hereby requested to immediately, in their official capacities, request the President, the Secretary of the Treasury, and the Comptroller of the Currency that proper orders be issued to all national banking institutions and their subsidiaries directing that no foreclosure proceedings be commenced and that no further proceedings be taken in those already begun; and be it further

Resolved, That Senator THOMAS and Senator GORE and Congressman DISNEY are further requested to immediately take steps to obtain from the President and the Secretary of the Treasury and the Comptroller of the Currency orders directing all examiners of national banks and their affiliated, subsidiary, or allied companies to immediately and henceforth disregard the quotations of the New York Stock Exchange on all stock lodged in such institutions as collateral on loans therein, and to value such collateral at its actual value as shown by the last financial statement of the corporation issuing such stock held as collateral; and be it further

Resolved, That a copy of this resolution, signed by the chairman of this meeting, be sent to each, Senator THOMAS, Senator GORE, and Congressman DISNEY.

Dated this 6th day of February, 1933.

Passed and approved this the 6th day of February, 1933.

MERRITT J. GLASS, *Chairman.*

Attest:

C. C. ROBERTS, *Secretary.*

ADVANCE PLANNING OF PUBLIC WORKS

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD a bill introduced in the Legislature of the State of California providing for the advance planning of public works so that public works may be accelerated in times of depression and retarded in normal times. The reason I make this request is because the action is modeled after the one which Congress enacted two years ago as a national policy for the advance planning of public works.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Assembly bill No. 892, introduced by Mr. Dempster, January 24, 1933; referred to committee on unemployment

An act to amend the title of and to revise an act entitled "An act to provide for the extension of the public works of the State of California during periods of extraordinary unemployment caused by temporary industrial depression, and regulating employment therein, and authorizing the board of control to enforce the provisions hereof; and repealing all acts inconsistent with the provisions hereof," approved May 26, 1921, relating to advance planning and long-range budgeting of public works

The people of the State of California do enact as follows:

SECTION 1. The title of the act cited in the title hereof is hereby amended to read as follows: "An act to provide for advance planning and long-range budgeting of public works by the State as a means of furnishing employment during periods of depression, and making an appropriation therefor."

SEC. 2. Said act is hereby revised to read as follows:

"SECTION 1. There is hereby created a board to be known as the public works planning board, to be composed of 7 members, 3 to be appointed by the governor and to hold office at his pleasure and 4 to serve ex officio. Such ex officio members shall be the director of finance, who shall serve as chairman, the director of public works, the director of social welfare, and the director of industrial relations. The members of the public works planning board shall receive their actual and necessary expenses incurred in the performance of their duties.

"SEC. 2. The board shall appoint and fix the salary of a qualified administrator who shall be exempt from civil service, and, subject to civil-service regulations, such a staff of technical assistants and such other employees as the work may require.

"SEC. 3. For the purposes of this act, and except as the context otherwise requires, "construction" means and includes (1) all physical improvements paid for in whole or in part by public funds; (2) maintenance, repairs, and alterations paid for in whole or in part by public funds; (3) the purchase of such materials, supplies, and equipment as is necessary as a part of or incident to construction, as herein defined; and (4) the hiring of such services as is necessarily incident to construction as herein defined.

"SEC. 4. The public works planning board shall have the following functions:

"(1) To prepare a 10-year construction program for all State public works, coordinating the construction plans of the various State departments, such program to include a tentative assignment of each project to a given year.

"(2) To administer the 10-year construction program in such manner as to restrain construction of public works during years of active business conditions and employment, and to accelerate such construction during years of depressed business conditions.

"(3) To modify said program at the end of each biennium, adding projects for two additional years, or for such number of years as may be necessary to insure that there shall be at all times a construction program planned 10 years in advance.

"(4) To approve each construction program prepared by a State department before funds are made available for its consummation.

"(5) To require the various State departments to have on hand detailed plans for construction projects one year in advance.

"(6) To promote among the municipalities, counties, and other political subdivisions of the State the formulation of programs for the advance planning of public works.

"(7) To stimulate the construction of State, county, and municipal public works projects during the present and future periods of widespread unemployment.

"(8) To report biennially to the governor and legislature upon its activities, the construction program in process and contemplated.

"Sec. 5. For the purpose of properly timing public works, with a view to restraining such works during periods of prosperity and accelerating such works during periods of slack economic activity, the public works planning board shall have power and authority to secure information and data from any State department or official, to take steps to expedite the completion by the various State departments of their plans and programs for construction work, to amend, revise, approve, or reject the construction programs; and to determine what part of the construction program assigned to a given year shall be withheld until a later year or advanced to an earlier year. Such determination shall bind all parties involved therein.

"Sec. 6. As a means of aiding in the prevention of unemployment during periods of business depression, the board may direct the acceleration during such periods, to such extent as practicable, of the approved programs.

"The initiation of such accelerated program of public works shall be at the discretion of the public works planning board. In taking such action, the board shall be guided by the employment and pay roll indexes of the State department of industrial relations and by other suitable indexes of economic trends and by such other information of any character as it may consider pertinent.

"Whenever in the judgment of the board, based upon the best information available, a period of depression and unemployment is developing within the State, it shall authorize the initiation of the accelerated program of public works. Immediately thereafter the board shall determine the projects to be undertaken in addition to those authorized for the current year, and shall notify the various State departments to proceed immediately with the construction thereof.

"Sec. 7. The public works planning board shall prepare and submit to the fifty-first regular session of the legislature recommendations as to what methods of financing should be employed by the State to make effective the purpose of advance planning and long-range budgeting of State public works contemplated in this act.

"Sec. 8. It is hereby declared to be the policy of the State to arrange the construction of State public works, so far as practicable, in such manner as will assist in the stabilization of industry and employment through the proper timing of such construction, and that to further such policy there shall be advance planning and long-range budgeting of public works by the public works planning board and by the various departments of the State.

"Sec. 9. Each State department having charge of construction work shall have the following functions in connection with the program of advance planning and budgeting:

"(1) To prepare a 10-year construction program containing a tentative assignment of each project to a certain year, and including an estimate of the cost of each project, the estimated cost of land and of new construction to be shown separately for each item.

"(2) To submit such program to the public works planning board for revision or approval, when so required by said board.

"(3) To submit to the public works planning board, at the end of each fiscal year, proposed amendments and additions to the 10-year program.

"(4) To prepare and submit to said board detailed construction plans for projects one year in advance of the time proposed for their initiation.

"Sec. 10. There is hereby appropriated from any money in the State treasury not otherwise appropriated, the sum of \$25,000 to be expended in accordance with law by, and for the expenses of, the public works planning board for the eighty-fifth and eighty-sixth fiscal years."

REPORTS OF COMMITTEES

Mr. HALE, from the Committee on Appropriations, to which was referred the bill (H. R. 14363) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1934, and for other purposes, reported it with amendments and submitted a report (No. 1183) thereon.

Mr. KING, from the Committee on Immigration, to which was referred the bill (H. R. 8174) to exempt from the quota fathers and mothers over 60 years of age of United States citizens, reported it with amendments and submitted a report (No. 1179) thereon.

Mr. GRAMMER, from the Committee on the District of Columbia, to which was referred the bill (S. 5224) to regulate the bringing of actions for damages against the District of Columbia, and for other purposes, reported it with an amendment and submitted a report (No. 1180) thereon.

He also, from the same committee, to which was referred the bill (S. 5436) to amend section 653 of the Code of Law for the District of Columbia, reported it without amendment and submitted a report (No. 1181) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 4871) to amend the teachers' salary act of the District of Columbia, approved June 4, 1924, as amended, in relation to establishing the Wilson and Minor Teachers Colleges on a basis comparable with recognized standards for accredited institutions of like kind, to raising the trade or vocational schools to the level of junior high schools, and for other purposes, reported it with amendments and submitted a report (No. 1182) thereon.

He also, from the same committee, to which was referred the bill (S. 5053) to amend sections 416 and 417 of the Revised Statutes relating to the District of Columbia, reported it without amendment and submitted a report (No. 1186) thereon.

Mr. GLENN, from the Committee on Claims, to which was referred the bill (S. 4993) for the relief of C. J. Mast, reported it without amendment and submitted a report (No. 1185) thereon.

Mr. SMITH, from the Committee on Naval Affairs, to which was referred the bill (H. R. 5548) for the relief of George Brackett Cargill, deceased, reported it with an amendment and submitted a report (No. 1187) thereon.

Mr. MCGILL, from the Committee on Naval Affairs, to which was referred the bill (H. R. 9326) for the relief of John E. Davidson, reported it with an amendment and submitted a report (No. 1188) thereon.

Mr. SWANSON, from the Committee on Naval Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

H. R. 792. An act for the relief of William Joseph Vigneault (Rept. No. 1189); and

H. R. 6409. An act for the relief of William Joseph LaCarte (Rept. No. 1190).

Mr. DAVIS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 1936) for the relief of Sydney Thayer, jr., reported it with an amendment and submitted a report (No. 1191) thereon.

Mr. SHORTRIDGE, from the Committee on Naval Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

H. R. 7263. An act for the relief of Felix Maupin (Rept. No. 1192); and

H. R. 9355. An act for the relief of David Schwartz (Rept. No. 1193).

Mr. SHORTRIDGE also, from the Committee on Naval Affairs, to which was referred the bill (H. R. 7548) granting six months' pay to Ruth McCarn, reported it without amendment and submitted a report (No. 1194) thereon.

Mr. SCHUYLER, from the Committee on Naval Affairs, to which was referred the bill (S. 4203) for the relief of William James Waters, reported it without amendment and submitted a report (No. 1195) thereon.

Mr. METCALF, from the Committee on Naval Affairs, to which was referred the bill (S. 2008) for the relief of Maurice M. Keleher, reported it with an amendment and submitted a report (No. 1196) thereon.

Mr. FRAZIER, from the Committee on Indian Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 5525. An act to extend temporary relief to water users on irrigation projects on Indian reservations, and for other purposes (Rept. No. 1197); and

H. R. 12651. An act for the relief of the Uintah, White River, and Uncompahgre Bands of Ute Indians of Utah, and for other purposes (Rept. No. 1200).

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 5576. An act to authorize the creation of an Indian village within the Shoalwater Indian Reservation, Wash., and for other purposes (Rept. No. 1198); and

H. R. 11735. An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes (Rept. No. 1199).

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. VANDENBERG, from the Committee on Enrolled Bills, reported that on to-day, February 10, 1933, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 221. An act authorizing adjustment of the claim of the Wilmot Castle Co.;

S. 968. An act for the relief of certain employees of the Forest Service, Department of Agriculture;

S. 4165. An act to remove existing discriminations incident to certain land grants and to subject them to the same conditions that govern other land grants of their class; and

S. J. Res. 167. Joint resolution to carry out certain obligations to certain enrolled Indians under tribal agreement.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON:

A bill (S. 5612) to provide for the selection of certain lands in the State of California for the use of the California State park system; to the Committee on Public Lands and Surveys.

By Mr. KENDRICK:

A bill (S. 5613) to provide for the granting of public lands to certain States for the elimination of lands from national forests, parks, reservations, and withdrawals in connection with such grants, and for other purposes (with accompanying papers); to the Committee on Public Lands and Surveys.

By Mr. KING:

A bill (S. 5614) authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund; to the Committee on Irrigation and Reclamation.

By Mr. TYDINGS:

A bill (S. 5615) authorizing and directing the Secretary of War to issue to the Maryland National Guard certain property and supplies to replace that which was destroyed by fire; to the Committee on Military Affairs.

By Mr. WALSH of Massachusetts:

A bill (S. 5616) to incorporate the National Society of Women Descendants of the Ancient and Honorable Artillery Company; to the Committee on the Judiciary.

A bill (S. 5617) to place William H. Clinton on the retired list of the Navy; to the Committee on Naval Affairs.

By Mr. NEELY:

A bill (S. 5618) granting a pension to Rebecca Swisher Boyd; and

A bill (S. 5619) granting a pension to Fred Hodgkiss; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5620) to authorize the payment of the expenses of prosecuting claims against the United States by the Kiowa, Comanche, and Apache Tribes from the tribal fund of such tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. SMOOT:

A bill (S. 5621) granting a pension to Susan Turner (with accompanying papers); to the Committee on Pensions.

By Mr. FRAZIER:

A bill (S. 5622) providing for an alternate budget for the Indian Service, fiscal year 1935; and

A bill (S. 5623) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement; to the Committee on Indian Affairs.

FEDERAL-AID ROAD CONSTRUCTION—AMENDMENT

Mr. ODDIE. Mr. President, I send to the desk an amendment to House bill 14416, the Federal gasoline tax bill. My amendment consists of the Federal-aid road bill which passed the Senate last June.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

BOARD OF COTTON SUPPLY CONTROL, ETC.—AMENDMENT

Mr. BANKHEAD submitted an amendment intended to be proposed by him to the bill (H. R. 13991) to aid agriculture and relieve the existing national economic emergency, which was ordered to lie on the table and to be printed.

AMENDMENT TO STATE, JUSTICE, ETC., APPROPRIATION BILL

Mr. SHEPPARD submitted an amendment intended to be proposed by him to House bill 14363, the State, Justice, Commerce, and Labor appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 27, line —, to insert between the words "amended and supplemented" and before the words "Provided further," the following: "Unless such wire tapping in each case shall have been previously authorized by the Assistant Attorney General of the United States in charge of prosecutions of violations of the national prohibition act, as amended and supplemented."

FIXING OF CERTAIN GRAZING FEES

On motion of Mr. STEIWER, the joint resolution (S. J. Res. 219) authorizing the fixing of grazing fees on lands within national forests (introduced by Mr. CAREY and Mr. STEIWER on December 17, 1932) was taken from the table and referred to the Committee on Agriculture and Forestry.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who announced that the President had approved and signed the following acts:

On February 7, 1933:

S. 284. An act for the relief of William B. Thompson;

S. 2982. An act for the relief of J. G. Seupelt; and

S. 3147. An act for the relief of Anna Pokorny.

On February 8, 1933:

S. 243. An act for the relief of S. F. Stacher.

On February 9, 1933:

S. 2200. An act to authorize the presentation of a medal of honor, posthumously, to the late Henry Clay Drexler and the late George Robert Cholister;

S. 4509. An act to further amend the act approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain"; and

S. 5357. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Astoria, Oreg.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BYRNS, Mr. ARNOLD, Mr. LUDLOW, Mr. WOOD of Indiana, and Mr. THATCHER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13710) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1934, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TAYLOR of Colorado, Mr. HASTINGS, Mr. GRANFIELD, Mr. MURPHY, and Mr. FRENCH were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13872) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1934, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BUCHANAN, Mr. SANDLIN, Mr. HART, Mr. SIMMONS, and Mr. SUMMERS of Washington were appointed managers on the part of the House at the conference.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution and they were signed by the President pro tempore:

H. R. 14228. An act to change the name of "Roosevelt Island" to "Theodore Roosevelt Island"; and

H. J. Res. 565. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1933.

RELIEF OF COTTON FARMERS

Mr. SMITH. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial appearing in the State, of Columbia, S. C., in reference to the substitution of certain cotton in lieu of production, and also certain telegrams relating to the same subject.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial and telegrams are as follows:

[From the State, Columbia, S. C., February 8, 1933]

LACK OF LEADERSHIP IN WASHINGTON—WHY NOT REVERT TO SENATOR SMITH'S PLAN?

More distressing than the allegation that many Congressmen are crooks is the present seeming lack of leadership in Washington. The charge of corruption can be heavily discounted, but the charge of futility seems only too true.

The disagreements, the inability to agree among even those Democrats upon whom dependence is generally placed, are far from cheering. Are these jealousies aroused over "plans"? Does one decline to give study to a plan of which he does not happen to be the father? Why can not something be done for agriculture now? Why wait for the extra session, when those who will direct legislation then are now in Congress?

Ninety million dollars has been made available for borrowers of money with which to buy seed, but so far as the South is concerned, two things are vital: One is to obtain wider world markets for cotton; but that will require time and cooperation of statesmanship. The other is to insure against a cotton crop in 1933 which will cause the existing surplus to continue or be increased. This can be provided for immediately.

The one practical plan to this end is Senator E. D. SMITH's plan promulgated 18 months ago. Why? Because under it it was proposed the Government would purchase some millions of bales of cotton at prevailing prices, and give cotton farmers who abstained from planting or who planted only enough to enable their tenants to keep going, a contingent ownership in that cotton bought and held by the Government.

Under that plan if a farmer cut his production, say 100 bales, and because of the general reduction of several million bales in the crop, prices advanced, that farmer would have the privilege of buying from the Government at cost of the year before 100 bales, and of enjoying the profit on said increase in price. He risked nothing.

That direct, personal interest in wiping out the cotton surplus would give every grower who signed up to reduce his acreage, a direct interest in general reduction. That interest would take the form of exercising a moral influence upon his neighbors. Bankers and supply houses and business generally would have the same incentive in curtailment.

Voluntary promises to reduce are worth less than nothing. That has been demonstrated time and again. The farmer must be able to see where he can have cotton to sell at a profit when he plants no cotton. That is what the Smith plan revealed to him.

Why not try the Smith plan? If producers have already sold their cotton, why not use part or all of the 3,500,000 bales now held by the Government to carry out the Smith plan? Hold it for the benefit of the farmers who cut production by that quantity!

Senator E. D. SMITH,
United States Senate:

Entire South is behind you in your efforts to save the southern cotton farmer, and we strongly indorse your bill. Please urge Agricultural Committee to report this out favorably at once, so that you can get it through Congress in time to save not only the southern cotton farmer but the entire South.

C. A. COBB,
Editor Progressive Farmer and Southern Ruralist.

ATLANTA, GA., February 8, 1933.

Senator ELLISON D. SMITH,
Care Senate Agricultural Committee, in Session:

Have carefully analyzed Smith cotton bill, now in committee, and believe it will save this year's cotton crop and be the salvation of cotton producers, therefore urge its approval by the committee without delay.

H. LANE YOUNG,
Chairman Agricultural Commission,
American Bankers Association.

Hon. E. D. SMITH,
United States Senator:

Your cotton bill, as reported in to-day's paper, if enacted, will unquestionably in our opinion bring about the desired result,

LAGRANGE, GA.

CHARLESTON, S. C.

particularly to the producer. It is far-reaching and easily workable. It is the only proposition we have seen which is feasible and is ultimately of benefit to all interests directly and indirectly connected with cotton.

JOHN F. MAYBANK & Co.

INTERGOVERNMENTAL DEBTS

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD two editorials dealing with the subject of intergovernmental debts which appeared, respectively, in Collier's magazine in the issues of January 7 and 21, 1933.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From Collier's, January 7, 1933]

MAKE SELFISHNESS PAY

Get the facts straight about the war debts and we won't have much trouble finding the right answer.

Both political parties in their platforms demanded payment and opposed cancellation. To agree to cancellation or even reduction would be unpopular. This is the fact with which both Congress and the President must deal.

Another fact is that our own self-interest is going to determine our policy. Self-interest, not humanitarianism, generosity, or anything else, is going to rule. Self-interest, however, can be enlightened and intelligent.

We loaned the Allies about \$10,000,000,000 to pay for food, munitions, clothing, and other things connected with the World War. All of our creditors except Russia and Armenia have signed agreements to pay.

Between 1923 and 1926, through a reduction of interest rates, debts owed us were in effect reduced by about 51 per cent.

Payments were suspended June 30, 1931, by the Hoover moratorium. The first deferred payments came due December 15 last. Of all our creditors the British owe the largest sum. The December 15 payment was scheduled at \$95,500,000. The total due from Great Britain was \$3,788,500,000.

Her payments were to be made during 62 years in annual installments ranging from \$159,940,000 to \$187,350,000.

The British and other nations borrowed commodities, not gold. Wheat and cotton, munitions, and manufactured products were shipped abroad.

The debt agreements call specifically for payment "in United States gold coin of the present standard of weight and fineness or its equivalent in gold bullion" or in United States bonds.

The world supply of gold at the end of last October amounted to \$11,696,000,000. Of this the United States held \$3,818,000,000.

Obviously, therefore, the amount of gold outside the United States—\$7,878,000,000—is less than the sum of the war debts owed us.

If we demanded and got all the gold in the world, the war debts would still be unpaid.

The British Government had a total of \$678,000,000 in gold at the end of September. If we took all the British gold, our debt would be paid less than 20 cents on the dollar.

Obviously payment can not and will not be made in gold. The necessary gold supply does not exist.

The only possible way by which payments could be made is through imports of commodities and services.

We don't want any nation to return to us wheat, cotton, munitions, or any of the other commodities we loaned them. We erected tariff barriers, very high tariff barriers, for the precise purpose of keeping foreign goods out of the United States.

So the situation comes down to this: The debts can't be paid in gold. We won't accept payment in goods. Still we insist that payment must be made.

Plainly we are in a blind alley. Politically we insist upon a policy which practically is impossible of fulfillment.

It is easy to understand the politicians' difficulty. The debts owed us are represented by United States bonds. The bonds must be redeemed by taxes. If foreigners don't pay, Americans must. There's the rub.

But foreigners can not pay with anything we are willing to accept. Consequently the bare fact is that the greater part of the debts will not be paid. Annoying, but simple arithmetic.

What course, then, does our self-interest suggest in these circumstances? Shall we force our debtors to scrape the bottom of the cash box and give us all they have?

They might default, but assuming that they were willing to strip themselves clean of gold, would it profit us to take the last ounce?

Certainly not. The less gold a nation has the less valuable its currency becomes and the more disturbing it is to the well-being of other nations.

Have you thought about the recent great expansion in exports from Japan, not only to the United States but elsewhere?

The explanation is very simple: The Japanese yen is ordinarily worth 50 cents. Likely it went below 20 cents. With the yen at 20 cents, tariffs were not high enough to restrict Japanese imports.

Take the gold reserve vitally needed by Great Britain and at once the pound will drop in value. Directly and indirectly every class of Americans will be hit.

A hundred years ago Great Britain stood where we stand. Great Britain financed the wars against Napoleon. The Napoleonic war

loans were largely written off because the British decided it was more profitable to forgive the debts than to accept payment.

We shall serve ourselves best if with all possible expedition we negotiate new agreements in tune with these times.

The President and the Congress who have the courage to put national interest above political fears will deserve well of this Republic. In the long run we tend to get what we deserve.

[From Collier's, January 21, 1933]

LET'S PARK OUR PREJUDICES

More than a hundred years ago a group of New Yorkers wanted to establish a bank. Banks were few and unpopular.

So the legislature was persuaded to grant a charter authorizing the establishment of a water company. The water company was, incidentally, empowered to carry on a banking business. Thus secretly was founded one of the oldest and most reputable banks in the United States.

This little episode is typical of our history. Throughout our life as a Nation we have tried by prejudice and by law to forbid and to prevent natural economic development.

We tried, both through Federal and State laws, to prevent the establishment of corporations. So widespread was the feeling against corporations that Illinois forbade their owning land except as safe-deposit institutions. Consequently, any corporation which wanted to buy land had merely to qualify as such.

In endless other ways we have tried vainly to dam the currents of economic change.

When we reconciled ourselves to the existence of small corporations we decided to outlaw large ones. Thus we got our antitrust laws. Only the mentally blind, deaf, and dumb imagine that purpose was accomplished.

In spite of every political prejudice and every hostile act of legislation, more than any other people we transact our business through corporations. During a century and a half we have shown ingenuity enough to circumvent any impracticable law we were foolish enough to enact.

We are not unique in this. When Diaz was overthrown and Mexico was arranging a new constitution a delegate proposed a thoroughly foolish financial plan.

Another delegate argued that the suggestion was impossible since it violated the economic principle known as Gresham's law. Gresham's law is merely the observation that bad money drives out good, that people conceal and hoard gold if irredeemable paper is circulating.

The Mexican advocate of bad money was not stopped. He merely said, "repeal Gresham's law."

It sounds silly when a foreigner says it, but we, too, have tried to repeal habits and customs and instincts by an act of legislation. The eighteenth amendment is a hollow monument to futility.

We face many issues to-day which we are trying to settle with our prejudices and emotions rather than by a cool and intelligent consideration of the facts.

Congressmen, for example, are talking about the necessity of making money cheap because the farmer needs help.

Of course the farmer needs help. It is also true that from the days of Daniel Shays onward during the last 146 years rural politicians have cast sheep's eyes at cheap money.

We are not going to debase the American dollar. Our own self-interest will step forward, regardless of what laws we pass, and stop the process. Lots of good time and energy can, however, be wasted in pursuit of this false hope.

On the foreign front both we and the French, for that matter, have done more feeling than thinking about war debts.

We have never taken the pains to discover just what sort of settlement would benefit us most. "They hired the money, didn't they?" has been repeated as a complete summary of practical wisdom on this subject. As a matter of history, the answer is "No." They didn't hire the money. They hired munitions, food, and many other commodities but not the money.

Not that this matters now. It does matter, however, that at no time since the armistice has any convincing political leader had the wit or the courage to talk frankly to the American people concerning our own interest in these matters.

Two men, Senator BORAH and ex-Gov. Alfred E. Smith, did speak out last summer. But other matters diverted their attention, and nothing more was done.

What we want is not another political settlement dictated by prejudice and possibly in anger, but a clear-headed, discerning policy which projects a course that actually can be followed.

As to war debts, we say "let the foreigner pay." As to taxes, it is good political talk to say "soak the rich." All right in both instances, but only as far as it is practicable.

We seem to have reached the limit so far as the rich are concerned. Increased levies yield decreasing returns because the incomes are not there to be taxed. The money will have to come from other sources.

We shall unquestionably muddle through these difficulties even though we continue to refuse to think about them. There is enough strength and resource in this country to guarantee the future, whatever we do or neglect to do.

But we can hasten the time of recovery immeasurably if for once in our history we lay aside partisanship, prejudice, and claptrap and focus all the intelligence we possess and can employ upon the large matters immediately in front of us. We face no difficulty which we lack the mind to solve if only we are willing to work our minds and rest our prejudices.

EQUALIZATION OF TARIFF DUTIES

Mr. HULL. Mr. President, I ask permission to insert in the RECORD a few extracts from the recent testimony of Chairman Robert L. O'Brien, of the Tariff Commission.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. ROBERT L. O'BRIEN, CHAIRMAN, UNITED STATES TARIFF COMMISSION, BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, WHICH HAD UNDER CONSIDERATION EQUALIZATION OF TARIFF DUTIES BY COMPENSATING FOR DEPRECIATION OF FOREIGN CURRENCIES, ON THURSDAY, FEBRUARY 2, 1933

I have a clipping in my pocket which I think has appeared in your record on the situation in Holland, which is so clear as it relates to this bill that it ought to be repeated.

The legislative body in Holland asked the Finance Minister what were the advantages of depreciated currency, or of Holland's going off the gold standard. This Finance Minister said that they were partly illusory and partly temporary, and those that were not temporary were illusory and those that were not illusory were temporary.

That is the whole story, as it can be demonstrated very conclusively.

The two sets of bills here that are under consideration—the old Hawley bill and the Hill bill, and perhaps others—rest upon the illusion that you create an advantage by changing the measure of value.

The new Hawley bill, which has quite a little support—it has many merits and some defects—addresses itself to the temporary character of the thing. In other words, we want to keep squarely in mind the difference between the temporary side of this thing and the illusive or delusive side.

I was talking the other night with a man, a Republican who had served with honor and distinction on this committee, and had gone to even higher honors, who told me that this general currency-depreciation legislation reminded him of the man who had a fever. The doctor put a clinical thermometer under his tongue and it came out 105. The doctors and all present held up their hands in horror. "This man is terribly sick." Said a man in the room, "I will fix that all right." He had a clinical thermometer in the process of making, upon which the graduations had not been put. He marked some new graduations on it, stuck it under the man's tongue, and brought out that the man's temperature was 98.6. "He is well; his fever is gone."

Now, that is the picture. That is what might be called the delusive side of this thing, the theory that by changing a unit, or the measuring stick, or the clinical thermometer, you change the condition or the fever of the patient.

Mr. Chairman, I would crave the privilege to give a few illustrations from the past which I think it does no harm for this committee to take cognizance of. When I was a boy the gold dollar was worth \$1.14 in this country. It did not become par with gold until 1879 under the secretaryship of the Treasury of John Sherman and in pursuance of the Republican platform of 1876, which had declared for a resumption of specie payments.

Now, with that level of \$1.14 we were further off the gold standard in that period of the seventies than Canada is to-day, or has been. Did other countries levy extra duties, extra taxes, against us because we were producing things "so cheaply," because we had such an "undoubted advantage"? When it took \$1.14 of our money to buy \$1 in gold in the seventies, were we producing things more cheaply, so that other countries should have had a heavier duty against us? Was our competitive efficiency in the world increased by our gold being worth \$1.14?

To suppose so is to indict the entire Republican administration of that period. I had grown up to believe that the resumption of the specie payments in this country on January 1, 1879, was a wise thing, in pursuance of the platform of the Republican Party of 1876 and carried out by John Sherman, the Republican Secretary of the Treasury.

If there is one scintilla of basis behind the theory of the Hill bill, of the original Hawley bill, Mr. Sherman, the Secretary of the Treasury, was leading his country into an abyss of error; he was leading his country away from a low production cost and from a superior competitive efficiency.

The phrase is used constantly in the discussions of this matter, the "advantages" that countries have by going off the gold standard. If it were an advantage, we were enjoying it in the seventies. Were we producing things more cheaply because we were off the gold standard? Was our industry handicapped when we went back to specie payments in 1879? If so, Secretary Sherman was a blundering idiot to do it.

I wish to say further that there is no escape from the conclusion that if countries are better off, if their competitive efficiency is increased by being off the gold standard, then we ought to go off the gold standard. Every man in the House of Representatives who votes on February 13 for the unadorned Hill bill, for the unadorned principle that a country is a more serious competitive factor when off the gold standard, is voting to take this country off, and this country ought to go off. There are limits to which you can miseducate the people of a country with safety. That is my great objection to this general theory that underlies the old Hawley bill, the Hill bill, and others. It is that by the inescapable logic of it we ought to go off the gold standard ourselves.

I believe our going off the gold standard would be the paramount calamity of this entire disordered period. It would be a terrible thing and a needless thing, but one that is exactly called for by the logic of this line of legislation.

Our imports to-day are at a very low ebb, both in quantity and price. There is still a very heavy balance of trade in our favor, both in quantity and in value. We are not being flooded with imports.

Now, this whole affair is one upon which I am perhaps speaking a little feelingly—the Associated Press last year said I spoke vehemently. This is a period of popular madness. This depreciated-currency matter is a great lesson in the world of the power of propaganda. Every person tells everybody else and it keeps on going until people believe it.

I saw a very good man, a journalist, in the hotel here the other day who showed me a beautiful overcoat and said, "I was able to get that because England had gone off the gold standard."

I said, "Is that so? How is that?"

"I was over there. This coat would have been worth \$100 (we will say) several years ago, but because England is off the gold standard I could buy it for \$70 now."

I said, "Have you been in any clothing stores here of late? You have noticed comparable declines in prices in the United States?"

I said, "There is Liggett's drug store right across the street, where they tell me their articles are practically all American, and yet the drop in prices in hairbrushes—every sort of article you can pick out—has been just exactly as great. The only thing is the countries that are on the gold standard, like the United States, are expressing their price decline in a definite drop in prices. That is, the thing you bought and paid a dollar for, to-day you buy it for 50 to 75 cents."

The countries that have gone off the gold standard express part of that decline, or perhaps all of it, in the lessened value of the money. That is all there is to that.

Take Vermont and Maine. Every article in Vermont is being sold at a much lower price than formerly. Vermont friends of mine are selling milk at \$2.80 a hundred quarts that cost them \$5 to produce. Why? Is it because Vermont has gone off the gold standard? Is New York being flooded with Vermont milk because Vermont has gone off the gold standard?

The same is true of Maine, the potatoes in Maine. The same is true all over, but people have started this gold-standard story and everybody is telling it to everybody else; and there are people who want the duties increased—and I do not necessarily blame them; I think there is a good deal of argument for an embargo of all imported goods that can be produced here. But if you want that embargo, go ahead and pass it. Let us do things honestly and intelligently. An embargo or a horizontal increase in tariff applied to countries both on and off the gold standard would seem to me to have much of merit.

But I would like to see my countrymen act on this subject with the intelligence that the Hollanders are acting on it, in following their great Finance Minister.

And I want to say right here now that Holland has nothing on us in having a Finance Minister who told them the truth with such power and clarity. We have such a Finance Minister in this country.

I have here before me a speech made by Ogden L. Mills, whose clarity of thought in financial matters, whose courage and intelligence in voting for what he believes, or in advocating what he believes, seems to me unexcelled.

He went up to Columbia University the other night and addressed the faculty and students of Columbia University on the economic troubles of the world.

I read his speech through, as I have read every speech that he has made during the entire campaign. I read everything that Ogden Mills writes. You can not find in this speech one scintilla of support for the principle behind the Hill or the original Hawley bills.

In other words, this theory, the theory of curing the fever by changing the gradations on your instrument, there has not been a word from Ogden Mills in support of that. There is—in fact, I put my pencil on it—something that is entirely inconsistent with that theory, from Ogden Mills.

I said that in here there are some things in the Mills speech utterly inconsistent with that theory of these bills. Here is a line:

"Of those countries in Europe which through force of circumstances rather than choice experienced the panacea of inflation."

"Rather than choice." The theory behind the present depreciated-currency legislation, as I get it from various people—letters that I could quote—is that these countries, seeing what a trick they could come on our tariff and how cheaply they could produce if they were only off the gold standard, did it as a trick to get in under us, to circumvent our tariffs; that it was just a device of theirs, a trick of theirs, to do us.

Mr. Ogden Mills gives no support to that. Of course, that trick theory is too ridiculous to discuss. The British people dislike very much the abandonment of their historic and ancient standards. They would go back to stabilized currency any moment that they could. They can not go now. They can not go back until world economic conditions are restored.

And yet the theory of this depreciated-currency legislation rests upon the belief that this is a trick that somebody else put over on us. If it is a trick and is a good trick, we ought to be doing it, and we ought to correct the blunder that we made in America in 1896 when we did not accept a trick currency that would have given us that preeminence in efficiency in the markets of the world.

We ought to revise our estimates of John Sherman and the Republican Party, that put us back on specie payments in 1879 when by staying off of them we could have had so much more prosperity, and power, and have pushed our way into other markets with so much success.

Gentlemen, this is a very serious time in the history of the world. That is a time when we ought not be acting without frankness and soundness. And that is where I commend our great Secretary of the Treasury. You may search his speeches and his public utterances in vain for any of the theories behind this fundamental depreciated-currency legislation. I respect and honor him for it, just as I do the Hollander whom I quoted who said this thing was part an illusion and part temporary and what was not temporary was an illusion and what was not an illusion was temporary.

The Tariff Commission has taken action on this widely proclaimed footwear matter that came out in the papers this morning. We are changing the rate of duty on footwear for reasons prescribed by the statutes and we are passing it out with even hand since it applies equally to Japan, which is off the gold standard, and to Czechoslovakia, which is on the gold standard. Under the terms of our law it is the difference in costs of production in the two countries beside our own which determine the decision.

I remember coming down here one night from Boston, with a very successful business man who said, "People are not cutting trees in Maine this year because Canada has gone off the gold standard. That is a question I know about. They are not cutting trees in Maine because Canada has gone off the gold standard."

I said, the Saturday Evening Post, selling 3,000,000 copies a week, used to print 256 pages to a copy and is now printing 78 pages. The difference between 78 and 256 pages on 3,000,000 copies a week accounts for a good many trees.

In other words, you may overexplain the situation. The great thing in this affair is the world depression. The small thing is whether the countries are on or off the gold standard.

As far as this temporary measure is concerned, the new Hawley bill facilitates and increases the Tariff Commission's power to weigh and act on these things.

I think it not unfair to say on the rubber-footwear matter—of course, they make that in Massachusetts where I have a friendly interest, although, of course, I could take no judicial cognizance of that; but I am pleased to see the Massachusetts manufacturers saved from a little competition—but I do not think the cutting off of Japanese and Czechoslovakian footwear is going to create such a boom in that industry in Massachusetts that the unemployed of the rest of the Union might make a trek there to take up the jobs.

In other words, the tariff relationship is very much smaller than most people suppose. I think I am disclosing no improper secret to you gentlemen, who are the makers of our laws, when I say that this conclusion that we sent down yesterday had a dissenting addendum attached to it by my friend, Mr. Page, who is here with us to-day. There was another member of the commission, a Republican, Doctor Coulter, who signed it on condition that we should put in a clause that at the end of one year we would look over the facts again. In other words, it was not so dead open and shut a matter that all my associates wanted to make the change, willy-nilly. And yet that is the greatest single article of trouble from Japan.

The great trouble with Japan is its enormous depression. There is a man in the Library of Congress named Victor S. Clark who has just returned from Japan and his story of conditions there is perfectly terrible. Their budget is not balanced, their international trade is in awful shape, their military expenses are so heavy.

Japan has always been a dangerous, a hard competitor. In the last century Gen. William F. Draper, of Massachusetts, a Member of this House of Representatives, afterwards ambassador to two or three European countries, made a trip to Japan and came home with the belief that we, the American people, must have an embargo on manufactured products from Japan, that Japan has such great imitative faculties, such low-priced labor, that we must shut out Japanese products just as we do the Japanese people under our immigration laws.

That was the conclusion that Mr. Draper reached in the last century. Whether Japan was at that time on or off its gold standard, whether its yardstick was 18 or 36 inches, I do not know; whether its clinical thermometer was graded for 105 degrees for fever, or 98, I do not know; nor is it very important that I should know. The important thing is that Japan was and is and remains, because of the character of their people, industrious, hard-working, vegetarian-living people—a very serious competitor.

If they should go onto the gold standard to-morrow, it would not end the seriousness of their competition any more than their going off the gold standard started the seriousness of their competition.

These seem to me fundamentals that I hope this honorable committee in the consideration of legislation will bear in mind. The

seriousness of this thing lies in its relation to the maintenance of the gold standard. That is the sheet anchor of economic soundness in the world.

See Ogden Mills's speech at Columbia University in which, in five columns on the evils of the world and the things that should be done to straighten out existing disorders, there is no mention of legislation against depreciated-currency countries. I do not even see Mr. Mills here to-day urging any of these bills.

I doubt if any of the Republican Members would testify that they were urged to go into this thing—to go into what we will call the original Hawley bill—and the Hill bill by the request of our great Secretary of the Treasury. That is extremely significant.

Now, I see that one of the Senators from South Carolina has introduced a bill deliberately to take the United States off the gold standard. I think it would be a calamity inexpressibly great and needless to do that.

But, gentlemen, you are going to vote on the 13th of February on whether you think that would be a good thing. Anyone that votes for the unadorned Hawley bill or the unadorned Hill bill is expressing his belief in the superior competitive efficiency of countries off the gold standard, from which there can be but one logical conclusion. It is inescapable that if the countries off the gold standard are so much more efficient competitively than we are, we ought to derive that advantage ourselves by going off the gold standard, but I do not believe that. I do not want to see that done.

Of course, the test of this thing is the price. When things are sold cheaply, those people become dangerous competitors. We can all ask this question: Are things cheaper measured in human sacrifice, in effort, in the realities? Are things cheaper in countries that have gone off the gold standard?

They are cheaper in this great period of distress everywhere, and it does not seem to make a great deal of difference whether the country has or has not gone off the gold standard. The panic, the depression that we are in, is greatly accentuated. We have had a perfectly tremendous drop in prices.

Take the products of the Iowa farm lands. If one were to look at the proceeds in the value of agricultural products in America now and in 1929 or earlier, he would see a perfectly tremendous drop. That is not because the United States has gone off the gold standard. If any country were buying these things of us, they would get them very cheap. That is not because we have gone off the gold standard. A country that had gone off the gold standard would also be selling cheaply, too. It is, perhaps, fair to say that the countries that are off the gold standard are in the worse economic plight. I rather think that is more or less true, and that might be a factor of some weight.

When I first went to France a franc was worth 19 cents. To-day it is worth a little under 4 cents. The same 10 francs to-day do not buy—40 cents—the same dinner that \$1.90 bought before.

According to the theory of this bill, it should buy just the same. This whole affair is an illustration of the power of propaganda. For instance, I have received advertisements from a tailor who says, "Since England has gone off the gold standard, cloth is so much cheaper, you can get a suit now for so many dollars that you used to have to pay so many dollars for." One very good friend of mine writes me a letter "Isn't this proof that depreciated currency is doing what this bill seeks to correct?"

It is only proof that the tailor thinks that is a good thing to advertise; a good thing to talk about. Now, I have the greatest respect for tailors and for their sales methods, but I should not think a national policy should be based upon the talking points of a tailor's advertisement.

What the world needs now is the healing effects of improved international relations rather than the destructive effects of further antagonistic activities. We ought to act as sanely as we can and as calmly and as rationally as we can. That is what the world needs.

In this period of great upset, many people are doing different things with their commodities from what they ever did before.

The Brazilians are pumping coffee out into the harbor and are using it for locomotives, I understand.

In Nebraska they are using corn for fuel. All of which are abnormalities, not because Nebraska has gone off the gold standard but because of the abnormality of this world situation. It ought to be handled in a way that will restore normal thinking or normal reasonableness rather than jumping in the opposite direction.

There are very few countries in the world to whom we do not sell more than we buy from.

As to Great Britain, the balance is very heavy. Even as to Japan, which has been the source of all this discussion, according to the last figures prepared by the Department of Commerce and issued by the National Chamber of Commerce, the difference was very slight; I think it was \$199,000,000 one way and \$195,000,000 the other way. It is true that they would like to sell to us more than they do.

The balance of world trade has been so adverse to Great Britain for a number of years that she could not make the payment of her exchanges in gold, and was forced off the gold standard; and

once being forced off, her money fluctuates just as ours did when we went off the gold standard. In the Confederate War, it took \$2.80 in our money to buy a dollar in gold; and, as I say, in my boyhood it had got down to \$1.14. It all depends upon the likelihood of countries balancing trade. Trade balance has a great deal to do with it—the balance of trade in both directions, and the ratio of the National Budget. England was very badly behind in making ends meet, as a government, just as Japan is, in a very much more extreme degree to-day, and we have something to show in the way of a deficit ourselves. Our Budget is not altogether in very good shape, and so on; but it is a very delicate thing, this world standard, and I wish to correct and make clear my relations to Ogden Mills. He does not know me by sight. I have hardly ever spoken to him in my life. I have no right, license, or authority to quote him. What he said in a paper, however, I think I have a right to read. I have read him throughout the entire campaign. I do not believe there is a speech he has made in the last two years I have not read. All I have said was, that a man, having five columns in which to address himself to the economic evils of our times, if this Crowther bill would have been a correction of the evils of the time, I should have thought he would have included it. I still think so. There used to be an old saying, about somebody being conspicuous by his absence. I think the most conspicuous thing in this whole discussion here is the absence of Ogden Mills.

I will say, however, that the whole depreciated-currency thing itself is a tremendous factor in politics. It has been the greatest exhibit that I have ever seen of the power of propaganda. I remember when anybody who did not believe chopping off Belgium babies' hands was the chief enjoyment of the German soldier was regarded as pro-German. I was one of those who labored under the stigma of being pro-German because I did not believe all of the crazy things that propagandists of that period passed out. Had I been living in Salem, Mass., I hope I should not have joined in the destruction of the witches. It is very easy to see how it happened. Everybody tells everybody else, all the people who have a selfish interest, and want the tariff increased, if they all talk on one side, and they get the papers and the organs of opinion all in a state of mind where they tell everybody else that this is a good thing. Then you see what happens. There are those who for selfish interest say, "We want an increase of tariff. We have talked the old arguments a long time, and we want something new. Let us talk about depreciated currency."

In that respect, the prices in the countries that have gone off the gold standard—back in England a pound to-day will buy what the pound bought before. In other words, \$3.30 will buy what \$4.86 bought before England went off the gold standard.

In Vermont to-day \$3.30 will buy what \$4.86 bought two years ago. In France to-day the same. The world-wide depression in prices is the big thing, and the thing we should not lose sight of. The only thing, Mr. Hill, that I can't agree with you on, and I say this with profound respect and regret, is when you speak, as you steadily do, of concrete benefits and advantages in being off the gold standard. If that be true, I want to undo my whole background. I am angry with John Sherman, Secretary of the Treasury, for having put us back on the gold standard when we, back in the seventies, according to your theory, had the "advantage" of being off the gold standard, and of producing things more cheaply. John Sherman, of the Republican Party, got us back on the gold standard. Should they be blamed for that? Should I be blamed for voting against Bryan in 1896?

If one believes in this legislation, we ought to get off the gold standard as quickly as we can. I don't see how one can escape from that, when people refer to the countries off the gold standard as having great advantages, and speak of the benefits they have. Everybody that wants this legislation speaks about the benefits the other countries have. If it is a benefit, can't I have it? Can't we as Americans have it? If it is an advantage to be off the gold standard, we could have got it in 1896. We did have it in the seventies, but through the possible blundering of John Sherman we got out of it. He "blundered" us onto the gold standard and so deprived us of the low prices we are trying to effect equalizations for now.

It is our duty to do it if the theory behind these bills is correct. If it is an advantage to have a small yardstick, we ought to get off. If Massachusetts made 24 inches a yard, and textile manufacturers derived such enormous profits by it that all the other States around there put up tariffs against Massachusetts's cloth because they were making it so much more cheaply, they would wisely go to the 24-inch yard themselves. My theory is that it doesn't make any difference what they use, that that thing adjusts itself, as it has in all human history, as it did in France between the 19-cent franc and the 4-cent franc, as it did in Germany with the mark, the Italian lira. The Italian lira has been established at 5 cents. It used to be 25 cents. American manufacturers who have products coming in from Italy want the Italian stuff to go up because the Italians are producing so cheaply there. They tell exactly the same story.

I think the value of the committee system is to get specialized judgment and specialized information; and if I were a member of this honorable body, which I never expect to be, I would never vote to discharge any committee from its investigation and the

performance of its duty. I should think the 21 members of this committee would be a great deal better able to decide on this thing than the total membership of the House or a referendum of the State of Massachusetts, or anything else. I think this committee ought to be allowed to lead; and I think this committee, under the leadership of our great Secretary of the Treasury, would undoubtedly work out a plan that would be helpful and beneficial; and if I were a Member of Congress, I would act under that leadership.

INVESTIGATION BY TARIFF COMMISSION—CALF AND KIP UPPER LEATHER

Mr. COPELAND. Mr. President, I have a resolution on the desk, being Senate Resolution 335. I should like to have action upon it.

The PRESIDING OFFICER (Mr. Fess in the chair). The clerk will report the resolution referred to by the Senator from New York, coming over from a previous day.

The Chief Clerk read the resolution (S. Res. 335) submitted by Mr. COPELAND on January 18, 1933, as follows:

Resolved, That the United States Tariff Commission is hereby directed to investigate, for the purposes of section 336 of the tariff act of 1930, the difference in the cost of production between the domestic article and the foreign article, and to report at the earliest date practicable upon calf and kip upper leather.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

SALE AND ENCUMBRANCE OF KICKAPOO LANDS

Mr. THOMAS of Oklahoma. Mr. President, there is now on the Vice President's desk a message from the House of Representatives transmitting an amendment of the House to Senate bill 4439. I ask the Chair to lay the amendment before the Senate.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4339) repealing certain provisions of the act of June 21, 1906, as amended, relating to the sale and encumbrance of lands of Kickapoo and affiliated Indians of Oklahoma, which was, on page 2, to strike out lines 1 to 8, inclusive, and insert:

SEC. 2. All restrictions upon said lands, which were removed by operation of said act are hereby reimposed for a period of 10 years from the date of the approval of this act on all of such lands as are still held or owned by the Indians: *Provided, however*, That valid encumbrances now resting against any of said lands shall not in any manner be affected by the provisions of this act, but any of such lands so encumbered, if still owned by the Indians, shall, when such encumbrances have been removed, become subject to the provisions of this act as fully and to the same extent as if such lands were now unencumbered: *Provided further*, That the President may, in his discretion, in accordance with existing law, further extend the period of restriction herein provided for.

Mr. THOMAS of Oklahoma. I move that the Senate concur in the House amendment.

The motion was agreed to.

LABOR CONDITIONS IN FLOOD-CONTROL AREAS

Mr. WAGNER. Mr. President, I should like to make an inquiry of the junior Senator from Delaware [Mr. TOWNSEND].

The PRESIDING OFFICER. Does it relate to some matter now before the Senate?

Mr. WAGNER. It relates to a resolution pending before the Committee to Audit and Control the Contingent Expenses of the Senate. About a month ago the Committee on Commerce reported with a favorable recommendation a resolution, which had been submitted by me, providing for an investigation of labor conditions in the flood-control areas, the resolution having been presented as the result of charges made by some very responsible organizations in this country as to the exploitation of labor in those sections.

The resolution provided for an appropriation, and, therefore, went to the Committee to Audit and Control the Contingent Expenses of the Senate about a month ago. I understand that that committee has taken upon itself the duty of determining the merits of the resolution, with which, as I understand the law and the rules, it is not concerned. I make this public statement because for three weeks at

least I have pleaded with the chairman of the committee to hold a meeting and determine the amount which the committee might think proper as the expense to be incurred in the investigation. I am not so much interested in that as I am in securing some action by the Senate, and thus far there has been no action taken by the Committee to Audit and Control the Contingent Expenses. I think there ought to be an explanation of the delay.

Mr. TOWNSEND. Mr. President, I will say to the Senator from New York that there is no intention on the part of the committee to hold up the resolution to which he has referred. The committee will hold a meeting at 1.30 o'clock p. m. to-day, at which the resolution will be considered and a report ordered.

Mr. WAGNER. I thank the Senator.

IDA E. GODFREY

The PRESIDING OFFICER. Morning business is closed. The clerk will state the first bill on the calendar in order under the unanimous-consent agreement.

Mr. KEAN. I ask unanimous consent that the Senate return to Calendar No. 1134, being House bill 3033. I understand that the Senator from Utah [Mr. KING], who objected to the bill yesterday, will withdraw his objection.

The PRESIDING OFFICER. The Senator from New Jersey asks unanimous consent to return to Calendar No. 1134, being House bill 3033. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 3033) for the relief of Ida E. Godfrey and others, which was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida E. Godfrey, of Cookstown, N. J., the sum of \$750; to the estate of Annie L. Davis, of Wrightstown, N. J., the sum of \$500; to Thomas N. Emley, of Cookstown, N. J., the sum of \$750, damages by fire on June 11, 1921, to certain cranberry bogs adjacent to the rifle range at Camp Dix, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney, or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. KING. Mr. President, I objected to the consideration of that bill yesterday. I had examined the report, and I found that the then Secretary of War, Mr. Weeks, had reported adversely on the bill. I do not object to its consideration now; but I shall vote against the bill, and, from the facts presented by the report, I confess that I do not see any merit in it.

The Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 5125) to provide for cooperation by the Federal Government with the several States in relieving the hardship and suffering caused by unemployment, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, at the request of the Senator from Wisconsin [Mr. LA FOLLETTE] and other Members interested in this legislation, I ask that it be passed over without prejudice.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

The bill (H. R. 13742) to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. This bill will be passed over.

DES MOINES RIVER BRIDGE, ST. FRANCISVILLE, MO.

The bill (H. R. 9385) authorizing Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, to construct, main-

tain, and operate a bridge across the Des Moines River at or near St. Francisville, Mo., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, be, and are hereby, authorized to construct, maintain and operate a bridge and approaches thereto across the Des Moines River, at a point suitable to the interests of navigation, at or near St. Francisville, Mo., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Missouri, the State of Iowa, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The said Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the highway departments of the States of Missouri and Iowa, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reason-

able costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Dr. H. O. Strosnider, their heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

PACIFIC GAS & ELECTRIC CO.

The bill (S. 5539) authorizing the Secretary of the Navy to grant a perpetual easement of 15 feet in width to Pacific Gas & Electric Co., a California utility corporation, over, across, in, and upon the site of the lighter-than-air base, near Sunnyvale, in the county of Santa Clara, in the State of California, for an existing 20-inch gas main was announced as next in order.

Mr. McKELLAR. Mr. President, will the Senator from California explain the bill?

Mr. SHORTRIDGE. Mr. President, the only purpose of the bill is to authorize the Secretary of the Navy to grant an easement to the Pacific Gas & Electric Co. to continue to maintain a 20-inch gas-pipe main under the Sunnyvale lighter-than-air base at Sunnyvale, in Santa Clara County, Calif.

Mr. McKELLAR. I see that the bill is approved by the Secretary of the Navy, so I have no objection to it.

Mr. SHORTRIDGE. There is a committee amendment, very wisely suggested by the Senator from Florida [Mr. TRAMMELL], which should be considered first.

The Senate proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 5, after the word "Government," to insert "and subject to reversion to the United States in the event of abandonment or nonuser by the grantee for the purpose herein specified," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized and empowered to grant, under such terms and conditions as will best conserve the interests of the Government, and subject to reversion to the United States in the event of abandonment or nonuser by the grantee for the purpose herein specified, a perpetual easement to Pacific Gas & Electric Co., a California utility corporation, over, across, in, and upon the site of the lighter-than-air base, near Sunnyvale, in the county of Santa Clara, in the State of California, for the maintenance and operation by said company of an existing 20-inch gas main: *Provided,* That the Secretary of the Navy shall include in his annual report to the President a full and complete statement respecting such easement, when granted, which statement shall also include the name and address of the grantee, the extent and purpose of the grant, and the benefits accruing to the United States or to the public therefrom.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing the Secretary of the Navy to grant a perpetual easement to Pacific Gas & Electric Co., a California utility corporation, over, across, in, and upon the site of the lighter-than-air base, near Sunnyvale, in the county of Santa Clara, in the State of California, for an existing 20-inch gas main."

BILLS PASSED OVER

The bill (S. 5555) to authorize an exchange of lands between the city of San Diego and the United States was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. SHORTRIDGE. Mr. President, will the Senator from Utah please give me his attention?

The PRESIDING OFFICER. Does the Senator from Utah object to the consideration of this bill?

Mr. KING. I object to it, Mr. President. I will say to the Senator that I think the whole plan is unwise. I believe it

is an adventure that is not justified by past experience or warranted by the present condition of the Treasury.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 5498) to authorize an increase in the limit of cost of one aircraft carrier was announced as next in order.

Mr. McKELLAR. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

MICHAEL J. BUDZINSKI

The Senate proceeded to consider the bill (S. 5214) to correct the naval record of Michael J. Budzinski, which had been reported from the Committee on Naval Affairs with an amendment to strike out all after the enacting clause and to insert:

That in the administration of any laws conferring rights, benefits, and privileges upon persons honorably discharged from the United States Navy Michael J. Budzinski shall be held and considered to have been honorably discharged from the United States Navy on the 15th day of December, 1918: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. REED. Mr. President, I suggest that the proviso should be amended in the form agreed upon yesterday.

The PRESIDING OFFICER. Without objection, the amendment suggested by the Senator from Pennsylvania to the amendment of the committee will be agreed to.

The amendment was, on page 2, line 4, after the word "*Provided*," to strike out "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act," and to insert:

Provided, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Michael J. Budzinski."

EXCHANGE OF LANDS WITH CITY OF SAN DIEGO

Mr. SHORTRIDGE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. SHORTRIDGE. Are we operating under the 5-minute rule?

The PRESIDING OFFICER. On unobjected bills.

Mr. SHORTRIDGE. Where some Senator, without knowledge of the bill, objects, may we reply to his observation?

The PRESIDING OFFICER. Not if any Senator calls for the regular order.

Mr. SHORTRIDGE. I propose, a little later on, to reply to the observations of the Senator from Utah with respect to this bill.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. A moment ago I interposed an objection, as I supposed, to Order of Business No. 1219, Senate bill 5498. I have no objection to Order of Business No. 1218, Senate bill 5555.

Mr. McKELLAR. Mr. President, I objected to that bill.

Mr. SHORTRIDGE. May I ask the always courteous and generous Senator from Tennessee not to object to it? It is approved by all the departments and unanimously approved by the committee. The Government received some two hundred and forty-odd acres of land which the Navy wants.

Mr. McKELLAR. The Senator has a different bill from the one to which I objected. I objected to Order of Business No. 1219, Senate bill 5498, the authorization of a \$19,000,000 aircraft carrier. I have no objection to Order of Business No. 1218.

The PRESIDING OFFICER. Is there objection to returning to Order of Business No. 1218? The Chair hears none.

The Senate proceeded to consider the bill (S. 5555) to authorize an exchange of lands between the city of San Diego and the United States, which was ordered to be

engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to transfer to the city of San Diego, Calif., free from all encumbrances and without cost to said city of San Diego, all right, title, and interest of the United States in and to the lands contained within that part of the Marine Corps Base, San Diego, Calif., described as follows: Beginning at a point on the United States bulkhead line as established in February, 1912, distant 300 feet northwesterly from station No. 104 on said bulkhead line; thence north 7° east a distance of 2,160 feet; thence north 60° 34' 59" west to an intersection with the prolongation of the northwesterly line of Bean Street; thence southwesterly along the prolongation of the northwesterly line of Bean Street to an intersection with the United States bulkhead line, as established in February, 1912; thence south 83° east along said bulkhead line to the point of beginning, in consideration of the transfer to the United States by said city of San Diego, free from all encumbrances and without cost to the United States, of all right, title, and interest in and to the lands contained within the following-described area: Beginning at the intersection of the prolongation of the northwesterly line of Bean Street with the United States bulkhead line as established in February, 1912; thence southwesterly along the prolongation of the northwesterly line of Bean Street to the pierhead line as the same has been or may hereafter be established by the United States; thence northwesterly and southwesterly along the said pierhead line to its intersection with the prolongation of the northeasterly line of Lowell Street; thence northwesterly along the prolongation of the northeasterly line of Lowell Street to the United States bulkhead line as established in February, 1912; thence northeasterly, easterly, and southeasterly along the United States bulkhead line as established in February, 1912, to the point of beginning; and also all of block 16, municipal tidelands subdivision, tract No. 1.

LIMIT OF COST OF AIRCRAFT CARRIER

Mr. SHORTRIDGE. Now, Mr. President, as to Order of Business 1219, Senate bill 5498, that does not call for any appropriation.

Mr. McKELLAR. But it is an authorization of \$21,000,000.

Mr. SHORTRIDGE. Unhappily we have a Navy, and other nations have; and the present appropriation for this particular aircraft carrier is \$19,000,000. I say "unhappily," but it has become necessary, according to the Navy Department, to increase that appropriation by \$2,000,000. I hope the Senator at least will permit this bill to go through.

The PRESIDING OFFICER. Does the Senator from Tennessee withdraw his opposition?

Mr. McKELLAR. Mr. President, I am sorry, but I can not do so.

Mr. SHORTRIDGE. Very well.

The PRESIDING OFFICER. The bill will be passed over.

COLUMBIA RIVER BRIDGE, THE DALLES, OREG.

The bill (S. 5502) to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near The Dalles, Oreg., was announced as next in order.

The PRESIDING OFFICER. According to the calendar, this bill is similar to Order of Business 1257, H. R. 14060.

Mr. McNARY. Mr. President, I ask to have the House bill substituted for the Senate bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senate proceeded to consider the bill (H. R. 14060) to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near The Dalles, Oreg., which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Columbia River at or near The Dalles, Oreg., authorized to be built by Dalles City by an act of Congress approved February 20, 1931, heretofore extended by act of Congress approved February 11, 1932, are hereby further extended one and three years, respectively, from February 20, 1933.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The PRESIDING OFFICER. Without objection, Senate bill 5502 will be indefinitely postponed.

BILL PASSED OVER

The bill (S. 5035) amending the shipping act, 1916, as amended, for the purpose of further regulating common carriers by water, was announced as next in order.

Mr. McKELLAR. Mr. President, will the Senator from California be good enough to explain that bill?

Mr. JOHNSON. Mr. President, in justice to the views of the Senator from Michigan [Mr. VANDENBERG], I call his attention to the bill that is now before the Senate.

Mr. VANDENBERG. Mr. President, I thank the Senator. I think the bill should go over. It is a matter of major importance.

The PRESIDING OFFICER. The bill will be passed over.

FLOOD-CONTROL WORKS, LOWELL CREEK, SEWARD, ALASKA

The bill (H. R. 6733) for estimates necessary for the proper maintenance of the flood-control works at Lowell Creek, Seward, Alaska, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is authorized to submit for the consideration of Congress such estimates as are, in his judgment, necessary for the proper maintenance of the flood-control works at Lowell Creek, Seward, Alaska, construction under authority contained in Public Resolution No. 52 (69th Cong.), approved February 9, 1927.

ELECTRIC LIGHT SYSTEM, MOLOKAI, HAWAII

The Senate proceeded to consider the bill (H. R. 311) to approve Act No. 268 of the session laws of 1931 of the Territory of Hawaii entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the island of Molokai," which was read, as follows:

Be it enacted, etc., The act No. 268 of the session laws of 1931 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the islands of Molokai," passed by the Legislature of the Territory of Hawaii and approved by the Governor of the Territory of Hawaii on April 30, 1931, is hereby approved: *Provided*, That the authority in section 16 of said act for the amending or repeal of said act shall not be held to authorize such action by the Legislature of Hawaii except upon approval by Congress in accordance with the organic act: *Provided further*, That nothing herein shall be construed as an approval by Congress of the theory of establishing value on the actual cost of reproducing or replacing property as contained in section 18 of the said act.

Mr. McKELLAR. Mr. President, can we not have some explanation of this bill?

Mr. BINGHAM. Mr. President, may I say to the Senator that this bill is in the usual form. It is impossible for the Territory of Hawaii to give a franchise to any public-utility company without the permission of the Congress. The Territorial legislature has granted such a franchise, and it is necessary for the Congress to ratify the action of the legislature. It is not a monopoly, and is in the usual form granted to such companies. The island of Molokai at present is without any electric-light plant at all; and this bill grants the people of that island an opportunity to have a small company to give them electric light.

The bill was ordered to a third reading, read the third time, and passed.

PANAMA CANAL ZONE

The bill (H. R. 7503) to repeal the Executive order of November 23, 1909, making the enticing of laborers from the Isthmian Canal Commission or the Panama Railroad a misdemeanor was announced as next in order.

Mr. WALSH of Montana. Mr. President, this bill and the following 10 bills—11 all together—relate to the laws of the Panama Canal Zone. The bills come here from the Committee on Inter-oceanic Canals.

In 1928 Congress passed an act providing for the revision and codification of the laws applicable to the Canal Zone. Pursuant to that act a skilled codifier, an employee of the West Publishing Co., experienced in work of that character, as most Senators know, was employed to effect the revision and codification. He brought to his aid a judge of the Canal Zone, Judge Lennon—a man of very high character and reputation—as well as the district attorney, and they did the work of revision and codification. The Governor of the Canal Zone then called to his aid an advisory body consisting of 9 members—3 lawyers and 6 laymen. The bar of the Canal Zone also reviewed the work, and it has the approval

of all of those, and likewise had the study of the Committee on Inter-oceanic Canals. The bills should be passed.

The PRESIDING OFFICER. Is there objection to the present consideration of the pending bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Executive order of November 23, 1909, making the enticing of laborers from the Isthmian Canal Commission or the Panama Railroad a misdemeanor, be, and it is hereby, repealed.

The bill (H. R. 7506) to repeal an ordinance enacted by the Isthmian Canal Commission August 5, 1911, and approved by the Secretary of War August 22, 1911, establishing market regulations for the Canal Zone, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the ordinance enacted by the Isthmian Canal Commission on August 5, 1911, and approved by the Secretary of War on August 22, 1911, establishing market regulations for the Canal Zone be, and it is hereby, repealed.

The bill (H. R. 7508) to provide for the inspection of vessels navigating Canal Zone waters was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all vessels navigating the waters of the Canal Zone, except public vessels of all nations, and private vessels merely transiting the canal, shall be subject to an annual inspection of hulls, boilers, machinery, equipment, and passenger accommodations; and the governor is hereby authorized to prescribe regulations concerning such inspection, provided that such regulations shall, as nearly as practicable, conform to the laws and regulations governing the Steamboat Inspection Service of the United States.

SEC. 2. A foreign vessel of a country which has inspection laws approximating those of the United States, having an unexpired certificate of inspection duly issued by the authorities of the said country, shall not be subjected to an inspection other than that necessary to determine if the vessel, boilers, and life-saving equipment are as stated in the certificate of inspection; but no such certificate of inspection shall be accepted as evidence of lawful inspection unless like privileges are granted to vessels of the United States under the laws of the country to which such vessel belongs.

SEC. 3. When the board of local inspectors of the Panama Canal approves a vessel and its equipment, a certificate of inspection, in triplicate, will be issued by the canal authorities, two copies of which shall be displayed in conspicuous places in the vessel where they are most likely to be observed by passengers and others, and there kept at all times framed under glass.

SEC. 4. Should the board of local inspectors not approve the vessel or its equipment, a certificate of inspection will be refused, and the board of local inspectors will make a statement in writing giving the reasons for failure to approve, filing such statement in the records of the board, and giving a copy thereof to the owner, agent, or master of the vessel.

SEC. 5. Any vessel, other than those excepted in section 1 of this act, that navigate the waters of the Canal Zone without having an unexpired certificate of inspection issued by the canal authorities or by the Steamboat Inspection Service of the United States, or an unexpired certificate accepted by the canal authorities under section 2 of this act, shall be subject to a fine not exceeding \$1,000; and whenever any passenger is received on board a vessel not having certified copies of the certificate of inspection placed and kept as required by section 3 of this act, or whenever passengers are received on board a vessel in excess of the number authorized by said certificate of inspection, such vessel shall be liable to a fine not exceeding \$100 for each passenger so received. Fines shall be recovered in the district court of the Canal Zone, and the amount so recovered shall be a lien upon such vessel, and it may be seized and sold to satisfy same, as well as the costs of the court proceedings.

SEC. 6. In case a vessel holding an unexpired certificate issued by the canal authorities shall change its condition as to hull, boilers, machinery, equipment, or accommodations for passengers in such manner as not to conform to the regulations under which such certificate was issued, the board of local inspectors is authorized to make an inspection and to recommend revocation of the certificate of inspection, and upon approval of such recommendation by the marine superintendent, or such other officer of the Panama Canal as may be designated by the governor, a notice of revocation will be issued to the owner, agent, or master of the vessel; and after such notice of revocation the navigating of Canal Zone waters by such vessel shall subject it to the penalty prescribed by section 5 of this act.

SEC. 7. Other than public vessels of the United States or of the Republic of Panama, small vessels propelled in whole or in part by machinery shall be required to be registered, certificated, and numbered, and to display the numbers assigned in a conspicuous

place in prescribed form. Such vessels shall not be operated except by an operator holding a license to operate, issued after examination by the board of local inspectors, and approval of such examination by the marine superintendent or such other officer of the Panama Canal as may be designated by the governor.

Sec. 8. Small vessels not propelled in whole or in part by machinery shall be registered and numbered, and when numbers have been assigned they shall be displayed in a conspicuous place in prescribed form.

Sec. 9. Vessels under 65 feet in length, before carrying passengers for hire in the Canal Zone waters, shall obtain a certificate from the Canal Zone authorities to engage in this business, and such certificate shall specify the number of passengers and life preservers and fire-fighting apparatus which the vessel must carry. Such vessels shall be subject to annual inspection, and the certificate referred to will be granted for one year only. Small vessels carrying passengers without having first obtained a certificate from the canal authorities, or carrying passengers in excess of the number authorized by such certificate, shall be liable to a fine of not exceeding \$100 for each passenger so carried.

The bill (H. R. 7514) in relation to the Canal Zone postal service was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the postal service of the Canal Zone shall be governed by such of the laws, rules, and regulations of the Postal Service of the United States as are not inapplicable to the conditions existing in the Canal Zone, and the Governor of the Panama Canal is authorized to establish new post offices or discontinue those already established, to provide such rules and regulations as are necessary for the operation of the service, to appoint the personnel thereof, and to prescribe the postage stamps and other stamped paper which shall be used in such service: *Provided, however,* That the expenses of operating the Canal Zone postal service shall be defrayed, so far as possible, from the revenue derived therefrom, the use of which for that purpose is hereby authorized.

Sec. 2. That deposit money orders issued in the Canal Zone in lieu of postal savings certificates in accordance with rules and regulations heretofore established by the President, or that may hereafter be established by him, shall bear interest at a rate not exceeding 3 per cent per annum.

Sec. 3. That the interest received from the Canal Zone money-order funds deposited in banks under Canal Zone regulations shall be available to pay the interest on deposit money orders authorized by the preceding section. Such interest, which shall form a part of the postal revenues, shall also be available to pay the losses which are chargeable to the Canal Zone postal service.

Sec. 4. That all other laws for the operation of the Canal Zone postal service, excepting section 43a of the Penal Code of the Canal Zone, are hereby repealed.

The bill (H. R. 7515) to provide for the establishment of a customs service in the Canal Zone, and other matters, was announced as next in order.

Mr. REED. Mr. President, I should like to inquire about that bill. Is it the purpose of this measure to give the Governor of the Panama Canal the right to prescribe a scale of duties?

Mr. WALSH of Montana. No. My recollection is that the bill merely provides for the enforcement of the duties.

Mr. REED. The first section provides:

That the Governor of the Panama Canal shall have control for customs purposes over all articles, including passengers' baggage, introduced into the Canal Zone, and he is authorized to establish rules and regulations governing the entry and importation of goods into said zone, the disposal of goods brought into the Canal Zone in violation of such regulations, and to alter and amend such rules and regulations from time to time.

I do not understand whether the customs are to be collected on a scale of rates fixed by the governor, or on the rates fixed by Congress.

Mr. WALSH of Montana. My understanding is that the act relates only to the provision for the collection of the customs prescribed by the act of Congress.

Mr. REED. Is it the Senator's understanding that the tariff act at present in force applies to the Canal Zone?

Mr. WALSH of Montana. I understood so.

Mr. KING. Mr. President, would not some amendment be required to make the matter certain—that "nothing herein shall be construed to modify or repeal existing revenue and tariff acts enacted by the Congress of the United States"?

Mr. WALSH of Montana. I have no objection whatever to that.

Mr. KING. In the interest of clarity, it would seem to me that something of that character ought to be added.

Mr. WALSH of Montana. Whatever the fact may be, Mr. President, this is merely an affirmation of a practice that has been observed there since we exercised authority over the Canal Zone.

Mr. ROBINSON of Arkansas. Mr. President, apparently the act does not give any authority to fix rates of duty. An examination of it discloses that it merely permits the regulations, and orders for their enforcement, with respect to merchandise and baggage coming into the Canal Zone.

Mr. KING. Mr. President, I shall not insist upon the proposed amendment. If there should be any controversy later, Congress could very quickly pass a joint resolution.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Governor of the Panama Canal shall have control for customs purposes over all articles, including passengers' baggage, introduced into the Canal Zone, and he is authorized to establish rules and regulations governing the entry and importation of goods into said zone, the disposal of goods brought into the Canal Zone in violation of such regulations, and to alter and amend such rules and regulations from time to time.

Sec. 2. That general powers of search, seizure, and arrest are hereby conferred upon customs officers in the Canal Zone, including deputy shipping commissioners and boarding officers when performing customs duties. In the exercise of these powers customs officers are authorized to enter any building, other than dwelling houses, to stop vessels and vehicles, and to search vessels, vehicles, and their contents; and to stop and search persons and any packages carried by them. Such right of entry, stopping, search, seizure, and arrest shall be exercised only when there are reasonable grounds for suspecting violations of the customs rules and regulations authorized hereunder or of the United States applicable in the Canal Zone.

Sec. 3. That it shall be unlawful to enter or import, or attempt to enter or import, any articles or merchandise into the Canal Zone until the entry or importation of such articles or merchandise has been approved by the proper officers of the Canal Zone, and that it shall further be unlawful to pass, or attempt to pass, any false, forged, or fraudulent invoice or bill or other paper, for the purpose of securing the entry or importation into the Canal Zone of any articles or merchandise in violation of the rules and regulations to be promulgated in pursuance of the authority contained in the first section of this act, and any article brought into or obtained in the Canal Zone in violation of such regulations may be seized and held, and, unless within a period of 30 days from the date of seizure such articles are entered in conformity to the rules and regulations to be promulgated by the governor, they may be confiscated and disposed of as provided in such rules and regulations. Any person violating the provisions of this section or any of the rules and regulations authorized hereunder, shall, upon conviction, be punished by a fine not exceeding \$100, or by imprisonment in jail not exceeding 90 days, or by both such fine and imprisonment.

Sec. 4. That if any vessel arriving at the Canal Zone from any port, other than a port in the Canal Zone or the Republic of Panama, is found to have on board merchandise not manifested, the master of such vessel shall be liable to a penalty equal in amount to the value of the merchandise not manifested, and all such merchandise belonging to or consigned to or for the officers or crew of the vessel shall be forfeited: *Provided, however,* That such penalty shall not be imposed if it is made to appear to the customs officers, or to the court in which the trial is held, that no part of the cargo has been unloaded, except as accounted for in the master's report, and that the errors and omissions in the manifest were made without fraud or collusion; and in such case the master may be allowed to correct his manifest by means of post entry. A permit shall not be granted to unload any such merchandise so omitted from the manifest before post entry or addition to report of manifest has been made.

Sec. 5. That if sea stores are found on board of a vessel from any port, other than a port in the Canal Zone or the Republic of Panama, which are not specified in the list furnished the boarding officer, or if a greater quantity of such articles is found than that specified in such list, or if any of such articles are landed without a permit being first obtained from the customs officer for that purpose, all of such articles omitted from the list or manifest, or so landed shall be seized and forfeited, and the master of the vessel shall be liable to a penalty treble the value of the articles so omitted or landed.

The Senate proceeded to consider the bill (H. R. 7518) to amend an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on

the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916, which had been reported from the Committee on Interoceanic Canals with an amendment, on page 2, line 5, to strike out "public health board" and to insert in lieu thereof "Board of Health," so as to read:

Be it enacted, etc., That section 1 of the act approved August 21, 1916 (ch. 371, 39 Stat. 527), is hereby amended to read as follows: "That, until otherwise provided by Congress, the President is authorized to make rules and regulations in matters of sanitation, health, and quarantine for the Canal Zone or to modify or change existing rules and regulations and those hereafter made from time to time: *Provided*, That the President, under such regulations as he may prescribe, may authorize the Board of Health of the Canal Zone to issue licenses to practice the healing art, which regulations shall include conditions under which such licenses shall be issued and include provisions for revocation for cause of licenses issued. Violations of any quarantine regulations provided for herein shall be punished by fine not to exceed \$500 or by imprisonment in jail not to exceed 90 days, or by both such fine and imprisonment, in the discretion of the court; and a violation of any sanitary or health regulation authorized hereunder shall be punished by a fine not to exceed \$25 or by imprisonment in jail not to exceed 30 days, or by both such fine and imprisonment, in the discretion of the court. Each day such violation may continue shall constitute a separate offense."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7519) to amend the Penal Code of the Canal Zone, which had been reported from the Committee on Interoceanic Canals with amendment.

The first amendment of the committee was, on page 26, to strike out lines 6 to 24, inclusive.

Mr. ROBINSON of Arkansas. Mr. President, this appears to be a revision of the Penal Code. It is therefore apparently a very important measure. Does the Senator from Montana wish to have the bill considered under the 5-minute rule?

Mr. WALSH of Montana. Mr. President, I am only able to say to the Senator from Arkansas that the legislation was prepared with the care to which I have heretofore alluded. The Committee on Interoceanic Canals went over the bill with some care; and while I could not undertake to say that a critical analysis of it was made, I feel certain that it is, on the whole, an advisable penal code.

Mr. KING. Mr. President, a number of complaints were made to me several years ago and, indeed, within the past year, of alleged arbitrary acts upon the part of officials of the Panama Canal Zone, not only executive officials but also judicial and administrative officials. Some complaints were made with regard to the method of enforcing the criminal statutes. I was wondering whether any hearings had been had by the committee and the matters to which I have referred taken up.

Mr. WALSH of Montana. Nothing of the kind was suggested. Another one of the bills provides a code of procedure in criminal cases.

Mr. ROBINSON of Arkansas. Apparently the bill as reported carries an amendment entitled "section 115," designed to prevent the changes contemplated by the revised code from being retroactive. I presume, of course, that amendment should be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 26.

The amendment was agreed to.

The next amendment of the committee was, on page 57, after line 16, to insert section 115, reading as follows:

SEC. 115. Nothing contained in this act shall apply to an offense committed prior to the time when this act takes effect. Such an offense shall be punished according to the provisions of law existing when it was committed in the same manner as if this act had not been passed.

The amendment was agreed to.

Mr. WALSH of Montana. Mr. President, there is an error in the printing of the bill. Page 53 as printed should take the place of page 56 in the printed bill, and page 56 of the printed bill should take the place of page 53.

The PRESIDING OFFICER. The clerk will be authorized, without objection, to make the correction. The question is on engrossing the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7520) to amend the Code of Criminal Procedure for the Canal Zone, which had been reported from the Committee on Interoceanic Canals with amendments.

The first amendment of the committee was, on page 36, line 24, after the word "against," to strike out the word "a" and insert the word "the"; on page 43, line 1, to insert a new side head "Sec. 219"; on page 62, at the end of the bill, to insert a new section, as follows:

SEC. 120. This act shall apply to criminal actions and proceedings from the time it takes effect except that all such actions and proceedings theretofore commenced shall be conducted in the same manner as if this act had not been passed.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7521) to provide a new Code of Civil Procedure for the Canal Zone and to repeal the existing Code of Civil Procedure, which had been reported from the Committee on Interoceanic Canals with amendments.

The first amendment of the committee was, on page 1, line 9, to insert the words "1st day of October, 1933."

The amendment was agreed to.

Mr. ROBINSON of Arkansas. This is quite a voluminous bill. I suppose it has been carefully worked out.

Mr. WALSH of Montana. I may say, with respect to the bill, that this Code of Civil Procedure is founded upon the Code of Civil Procedure of the State of California, which is the model of the codes of procedure of nearly all the Western States, including the State of Montana, with the code of which I have intimate familiarity, of course. An examination of this code will disclose that it is practically a reproduction of the California Code of Civil Procedure.

The next amendments of the committee were, on page 128, line 11, to strike out the word "actions" and insert in lieu thereof the word "action"; on page 191, line 24, to strike out the word "encumbrance" and insert in lieu thereof the word "encumbrance"; on page 233, line 13, to strike out the word "and" before the word "undertaking" and insert in lieu thereof the word "an"; on page 315, line 24, to transpose lines 24 and 25. Insert line 24 reading "ing, a trial by jury must be had, as in cases of the contest of" immediately after line 25; on page 334, line 17, to strike out entire line 17 and insert the words thereof reading "law, to the duties of executor or administrator, which oath must" immediately after line 14; on page 335, line 19, to strike out entire line 19 and insert the words thereof reading "chapters 23 to 36, the sureties must justify thereon in the" immediately after line 17; on page 378, line 21, to strike out the word "Orders" and insert in lieu thereof the word "Order"; on page 388, line 8, to strike out the word "Administrators" and insert in lieu thereof the word "Administrators"; on page 443, line 20, to strike out the word "defendant" and insert in lieu thereof the word "defendant"; on page 459, line 19, to strike out the word "that" and insert in lieu thereof the word "than"; and on page 485, line 13, to strike out the word "discharge" and insert in lieu thereof the word "discharge."

The amendments were agreed to.

Mr. BLAINE. Mr. President, I observe, from the expression on the face of the junior Senator from California [Mr. SHORTRIDGE] that in a way he regards this bill as a tribute to the State of California. I might suggest that, the bill being very voluminous, it leaves nothing to the imagination. Practically every detail of the civil code is written into this

code so that all opportunity for construction by applying the common law will be avoided.

Mr. SHORTRIDGE. Mr. President, permit me to say that in drafting the California Code we borrowed largely from the learning of Wisconsin.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7522) to provide a new Civil Code for the Canal Zone and to repeal the existing Civil Code, which had been reported from the Committee on Inter-oceanic Canals with amendments.

The first amendment of the committee was, on page 1, lines 9 and 10, to insert the words "1st day of October, 1933."

The amendment was agreed to.

Mr. WALSH of Montana. Mr. President, I ought to say, in this connection, that these changes in the law covered by the Code of Civil Procedure and by the Civil Code seemed to be necessitated and required by reason of the change of conditions in the Canal Zone. When it was originally taken over it was occupied by people of Spanish descent, and the laws, as well as the procedure, were such as those people were familiar with. All those people have been removed from the Canal Zone, and there are now there only those whose training has been in the other system of law, founded upon the common law of England, and that necessitates these changes.

The PRESIDING OFFICER. The clerk will state the next amendments.

The next amendments of the committee were, on page 101, line 6, to strike out the entire line reading "witness subscribed his name thereto as a witness" and insert same words immediately after line 13; on page 121, line 17, to strike out the word "or" at the end of the line and substitute therefor the word "of"; on page 147, line 6, to strike out the letter "s" from the word "assignees," so as to make it singular, "assignee"; on page 202, line 9, to strike out the word "requires" and substitute therefor the word "acquires"; on page 206, line 6, to strike out the word "it" between the words "if" and "at"; on page 368, to strike out lines 7 to 11, inclusive, constituting section 1167; on page 378, to strike out lines 7 to 11, inclusive, constituting section 1217 and cross reference; on page 378, to strike out lines 14 to 16, inclusive, and the numeral (2) in line 17.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The Senate proceeded to consider the bill (H. R. 7523) to amend sections 7, 8, and 9 of the Panama Canal act, as amended.

The bill was ordered to a third reading, read the third time, and passed.

UNEMPLOYED PERSONS AT MILITARY POSTS

The bill (S. 5363) to provide for the housing, feeding, and clothing of certain unemployed persons at military posts of the United States was announced as next in order.

Mr. SMOOT. Mr. President, that bill was reported adversely.

Mr. REED. Mr. President, in the absence of the Senator from Michigan [Mr. COUZENS], I ask that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

DRAINAGE DISTRICT NO. 1, RICHARDSON COUNTY, NEBR.

The Senate proceeded to consider the bill (S. 4589) to authorize the Secretary of the Interior to make payment of part of the expenses incurred in securing improvements in drainage project of drainage district No. 1, Richardson County, Nebr., and for other purposes, which had been reported from the Committee on Indian Affairs, with amendments, on page 1, line 7, to strike out the words "out of any

money in the United States Treasury not otherwise appropriated" and to insert in lieu thereof the words "from funds now or hereafter on deposit to the credit of the individuals concerned," and on page 2, line 9, to strike out the proviso, as follows:

Provided further, That the amount paid on account of any allotment shall be reimbursable out of funds under the supervision of the Secretary of the Interior belonging to the respective allotment owners or out of the proceeds of the sale of such allotment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior, with the consent of the Indians of the Sac and Fox Reservation, Nebr., whose lands shall be benefited by the project of drainage district No. 1, Richardson County, Nebr., is hereby authorized to pay, from funds now or hereafter on deposit to the credit of the individuals concerned, such Indians' pro rata share of the expenses incurred by landowners interested in such project in the prosecution of a suit in equity to require the said drainage district to enlarge the channel of its system, and to do all things necessary to accommodate the water accumulated therein and to prevent overflows thereof: *Provided,* That the amounts so paid on behalf of such Indians shall not exceed the rate of \$2 per acre for each acre of Indian land benefited nor a total of \$600.

SETTLERS ON FORT PECK INDIAN RESERVATION

The bill (S. 5433) for the relief of certain settlers on the Fort Peck Indian Reservation, in the State of Montana, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That any entryman on the Fort Peck Indian Reservation, or any of his successors or transferees, who is unable to make payment on his entry as required by law, may obtain an extension of time for such payment, including interest, until November 1, 1933, upon the payment of interest on the total amount involved at the rate of 5 per cent per annum, provided that he shows to the satisfaction of the commissioner of the General Land Office, by affidavit corroborated by the affidavits of at least two persons, the fact of and the reason for his inability to make the payment. Any such person, upon making payment of like interest and furnishing a like affidavit, may obtain an additional extension of one year, but no more, for the payment of any amount so expended.

Sec. 2. Upon failure of any person to make complete payment of the required amount within the period of any extension granted in accordance with the provisions of this act, the homestead entry of such person shall be canceled and the lands shall revert to the status of other tribal lands of the Fort Peck Indian Reservation.

JUAN APODACA

The bill (S. 4590) for the relief of Juan Apodaca was considered. The bill had been reported from the Committee on Military Affairs with amendments, on page 1, line 9, to strike out the word "of" and insert the word "on"; in lines 10 and 11, strike out the words "that no bounty, pension, pay, or other emoluments shall accrue prior to the passage of this act" and insert in lieu thereof:

That no compensation, retirement pay, back pay, pension, or other benefits shall be held to have accrued prior to the passage of this act.

So as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, or their dependents, Juan Apodaca, who was a private in the Medical Department, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of the Medical Department on the 11th day of April, 1919: *Provided,* That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. McDONALD

The bill (H. R. 4368) for the relief of George W. McDonald was considered. The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 4, after the word "soldiers," to insert the words "and their widows," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers and their widows, George W. McDonald, who was a member of Company C, Sixty-fifth Regiment Illinois Volunteer In-

fantry, mustered in on June 1, 1862, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 1st day of October, 1862: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I ask that the bill go over. The bill was reported on adversely from the department.

Mr. REED. Mr. President, that is because the bill as then submitted to the Secretary apparently required the issuance of honorable-discharge papers. The man McDonald was undoubtedly taken into the service in the regiment in Illinois. The regiment was moved to Harper's Ferry. The Confederates captured every man in the regiment and all the papers of the regiment, and consequently it is one regiment in the Civil War concerning which The Adjutant General is absolutely unable to furnish a list of the members of the different companies. If a man wanted a pension on plausible grounds he ought to have claimed to belong to the Sixty-fifth Illinois, because nobody can disprove it; but McDonald undoubtedly did belong to it.

McDonald was a drummer boy only 11 years old. He was captured with this regiment by the Confederates at Harpers Ferry. There are affidavits in the record from his companions who say they remember him at a fist fight with a Confederate drummer boy for the possession of his drumsticks. He surrendered his drum, but would not surrender his drumsticks. He had a fight with the Confederate drummer boy and won the fight and kept the drumsticks. That is proven by affidavits. There is no question that he was in the regiment.

During his lifetime he himself was given a pension by special act of Congress. Now he is dead and his widow applies for a widow's pension and can not get it because The Adjutant General states his records do not show that the boy was in the service for 90 days. They were married before 1905, I am sure, and yet the widow can not get any pension.

The boy was taken out of the service under habeas corpus proceedings instituted by his mother when the regiment got back to Illinois. In the Chicago fire all the records of the habeas corpus proceedings disappeared, so that between the Confederates and Mrs. O'Leary's cow there is no record whatsoever to show that this young man ever was in the Army 90 days. However, the affidavits show it beyond question.

I hope the Senator from Utah will withdraw his objection.

Mr. LEWIS. Mr. President, may I submit an inquiry to the able Senator from Pennsylvania? There is nothing against the young man's record even when he was in the service?

Mr. REED. No; nothing at all.

Mr. SMOOT. Very well.

There being no objection, the amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of the widow of George W. McDonald."

LANDS FOR USE OF UNIVERSITY OF ARIZONA

Mr. ASHURST. From the Committee on Public Lands and Surveys I report back favorably without amendment the bill (S. 5361) to provide for the selection of certain lands in the State of Arizona for the use of the University of Arizona, and I submit a report (No. 1184) thereon. I call the attention of my colleague [Mr. HAYDEN] to the bill.

Mr. HAYDEN. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

Mr. McNARY. Mr. President, may we have a brief statement of what the bill provides?

Mr. HAYDEN. It authorizes the transfer of some 2,000 acres not far from Tucson, Ariz., to the State of Arizona for the use of the State university. The area described is covered with a fine growth of giant cactus. The university authorities are most anxious to have the growth preserved. There has been a movement on foot to make this a national monument or national park. I think it is better to have it

maintained in the nature of a State park under the guardianship of the university.

Mr. McNARY. Is it to be used for experimental purposes by the State university?

Mr. HAYDEN. The primary purpose is to preserve the marvelous growth of cactus to which I have referred.

Mr. McNARY. Would not the Senator be satisfied to let it go over for the day? Several Senators wish to look at it. I shall not interfere further with its passage.

Mr. HAYDEN. Very well.

The PRESIDING OFFICER. The bill will be placed on the calendar.

CONVEYANCE OF LAND IN LOS ANGELES COUNTY, CALIF.

The bill (S. 5537) to convey certain land in the county of Los Angeles, State of California, was considered. The bill had been reported from the Committee on Military Affairs with amendments, on page 2, line 10, after the word "land," to insert the word "not"; in the same line, to strike out "any other" and insert "that"; and on page 3 to add a new section, as follows:

Sec. 2. That the amount received from the county of Los Angeles, State of California, for the land above described shall be deposited in the Treasury to the credit of the fund known as the military post construction fund, to be and remain available until expended for permanent construction at military posts in such amounts as may be authorized by law from time to time by the Congress.

So as to make the bill read:

Whereas on or about the 22d day of August, 1921, the county of Los Angeles, State of California, conveyed to the United States of America the hereinafter-described tract of land for the use of the War or Navy Departments; and

Whereas the county of Los Angeles, in the State of California, purchased said property for the purpose of making said conveyance at a total sum of \$148,655, of which amount the United States of America contributed \$55,655 and the county of Los Angeles contributed the sum of \$93,000; and

Whereas the United States of America has ceased to use said property, or any part thereof, for military, or naval, or other purposes, and the same is now and for some time has been idle: Therefore

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to convey to the county of Los Angeles the hereinafter-described land, exclusive of such structures thereon which may be designated by the Secretary of War for retention by the War Department with a view to their eventual removal from the premises, to be used for public park, playground, and recreation purposes only, on condition that should the land not be used for that purpose it shall revert to the United States: *Provided, however*, That the county of Los Angeles, State of California, pay to the United States of America the sum of \$55,655, the amount originally paid by the Government on the purchase price of said property, which property is particularly described as follows:

All those certain lots, pieces, or parcels of land, together with all buildings thereon, situate, lying, and being in the city of Arcadia, county of Los Angeles, and State of California, and particularly described as follows, to wit: Lot 4 of tract No. 949 as delineated upon the map of said tract recorded in book 17 of maps, at page 13, records of Los Angeles County, and lots 3, 4, 5, and 6 of tract No. 2409 as delineated upon the map of said tract, recorded in book 23 of maps, at page 23, records of Los Angeles County. The land intended to be conveyed by this deed is bounded on the north by Falling Leaf Avenue, on the east by Santa Anita Avenue, on the south by Huntington Drive and by land now owned by Clara Baldwin Stocker, and on the west by the rights of way of Pacific Electric Railroad Co. and Southern Pacific Railroad Co., and being all of the land claimed or owned by the grantor within the exterior bounds of Arcadia balloon field.

Sec. 2. That the amount received from the county of Los Angeles, State of California, for the land above described shall be deposited in the Treasury to the credit of the fund known as the military post construction fund, to be and remain available until expended for permanent construction at military posts in such amounts as may be authorized by law from time to time by the Congress.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

GASOLINE TAX IN DISTRICT OF COLUMBIA

The bill (H. R. 5823) to increase the motor-vehicle fuel tax in the District of Columbia and to provide for the better administration thereof was announced as next in order.

Mr. BINGHAM. Mr. President, I wish the Senator from Kansas [Mr. CAPPER] would explain the bill. I have been

informed that the present motor-vehicle fuel tax is more than sufficient to provide for repairs of roads, streets, and so forth. I do not understand why the additional tax is believed to be necessary.

Mr. CAPPER. Mr. President, the basis of taxation for the District of Columbia is broadened by this bill. At the present time the funds obtained from the existing gasoline tax are used exclusively for repair and improvement of streets and roads. Under the terms of this bill and in accordance with the recommendation of the District Commissioners, additional uses are provided for the gasoline tax. These additional uses for gasoline-tax funds include park-road improvement and repair; the construction, maintenance, and repair of bridges; expenses of the department of vehicles and traffic; salaries of street and bridge division employees in the highway department; salaries of police officers assigned to the traffic bureau and salaries of crossing policemen.

The commissioners are very strongly of the opinion that the District must obtain additional sources of revenue. The gasoline tax in the District of Columbia is below that of nearly every State in the Union. There are only four States of the 48 that have a 2-cent tax, as is still in force in the District of Columbia. The State of Virginia, adjoining the District, has a tax of 5 cents; the State of Maryland, 4 cents; and the State of Pennsylvania, 3 cents. The receipts from the real-estate taxes are likely to fall off very materially. Receipts from the sale of properties for delinquent taxes already have fallen off very seriously. The District Commissioners and the District tax assessor believe it imperative and urgent that we should undertake to develop new sources of revenue for the District.

Mr. WALSH of Massachusetts. Mr. President, I hope the Senator from Connecticut will not object. This is a reasonable tax. I believe every State in the Union has a higher rate than that existing in the District of Columbia.

Mr. CAPPER. All but four.

Mr. BINGHAM. The State of Connecticut has a 2-cent tax and uses the money solely for the roads.

Mr. KEAN. Mr. President, I should like to say in regard to this matter that the tax on automobiles in the city of Washington is perfectly absurd. It is only \$1 per year. It does not make any difference how much an automobile weighs, the tax is only \$1. The consequence is that the value of automobiles has gone down so far that Washington is filled with old secondhand automobiles from which the city receives practically no tax. This is the only source from which the District might recover some funds for use on the roads and streets.

Mr. ODDIE. Mr. President, I will ask that the bill go over for the present. I should like to have an opportunity to look it over before action is taken on it.

The PRESIDING OFFICER. On objection, the bill will be passed over.

CHESAPEAKE BAY BRIDGE, MARYLAND

The bill (S. 5503) authorizing the Chesapeake Bay Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Chesapeake Bay from a point in Baltimore County to a point in Kent County, in the State of Maryland, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the Chesapeake Bay Bridge Co., a corporation organized and existing under the laws of the State of Maryland, its successors and assigns, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Chesapeake Bay, at a point suitable to the interests of navigation, from a point in Baltimore County, Md., south of Back River, to Hart Island, to Miller Island, and thence to some point in Kent County, Md., between 39° and 12' and 39° and 13' and 30" N. latitude, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act: *Provided*, That in the interests of national defense, and for the protection of life and property, the Secretary of War is hereby authorized and empowered, when, in his judgment, military necessity shall require it, to close said bridge to traffic at such time and during such periods as he may determine.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Maryland, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 30 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Maryland, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 30 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper repair, maintenance, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The said Chesapeake Bay Bridge Co., its successors and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the highway department of the State of Maryland a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may, and at the request of the highway department of the State of Maryland shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Chesapeake Bay Bridge Co., its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the reasonable cost of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the said Chesapeake Bay Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

DELAWARE RIVER BRIDGE NEAR BUSHKILL, PA.

The bill (S. 5504) authorizing the Bushkill Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Delaware River at or near Bushkill, Pa., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Bushkill Bridge Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Delaware River, at a point suitable to the interests of navigation, at or near Bushkill, Pa., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Bushkill Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use

real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Bushkill Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Pennsylvania, the State of New Jersey, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rate of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The Bushkill Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of Pennsylvania and New Jersey, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Bushkill Bridge Co., its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Bushkill Bridge Co., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

WAR DEPARTMENT APPROPRIATIONS

The bill (H. R. 14199) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. This being the unfinished business, the bill will be passed over until 2 o'clock.

FEDERAL GASOLINE TAX

The bill (H. R. 14416) to make the Federal gasoline tax effective until June 30, 1934, was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. Objection has been made to Calendar 1249, has it not?

The PRESIDING OFFICER. The bill went over on the objection of the Senator's colleague.

Mr. ODDIE. Mr. President, I introduced an amendment to this bill this morning that I should like to have considered at the proper time. This amendment is for the Federal-aid road appropriation for the years 1934 and 1935 as it passed the Senate on June 8, 1932, known as the Oddie bill (S. 36), which passed the Senate as an authorization.

Mr. SMOOT. That is the reason why I objected.

Mr. KEAN. It is a very important bill and it should be passed.

Mr. WALSH of Massachusetts. Mr. President, will not the Senator from Nevada ask that his amendment be printed at this juncture in the RECORD, so that we may know what it is?

Mr. ODDIE. Yes; I ask that that may be done.

The PRESIDING OFFICER. On objection the bill will be passed over, and without objection the amendment of the Senator from Nevada will be printed in the RECORD.

At the proper place in the bill to insert the following:

"That for the purpose of carrying out the provisions of the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, and all acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums, to be expended according to the provisions of such act as amended: The sum of \$125,000,000 for the fiscal year ending June 30, 1934; the sum of \$125,000,000 for the fiscal year ending June 30, 1935: *Provided*, That in apportioning the foregoing sums among the several States and the Territory of Hawaii for said fiscal years deductions shall be made as reimbursement to the United States of the \$80,000,000 emergency advance funds apportioned to such States and the Territory of Hawaii and used in road work, such deductions to be made at the rate of \$16,000,000 each fiscal year, in accordance with the item 'Federal-aid highway system' of the act approved December 20, 1930 (46 Stat. 1031).

"SEC. 2. That for the purpose of carrying out the provisions of section 23 of the Federal highway act approved November 9, 1921, there is hereby authorized to be appropriated for forest roads and trails, out of any money in the Treasury not otherwise appropriated, the following additional sums, to be available until expended in accordance with the provisions of said section 23: The sum of \$12,500,000 for the fiscal year ending June 30, 1934; the sum of \$12,500,000 for the fiscal year ending June 30, 1935.

"SEC. 3. That for the purpose of carrying out the provisions of section 3 of the Federal highway act as amended June 24, 1930 (46 Stat. 805), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of roads through unappropriated or unreserved public lands, nontaxable Indian lands or other Federal reservations other than the forest reservations, the sum of \$3,000,000 for the fiscal year ending June 30, 1933, the sum of \$3,000,000 for the fiscal year ending June 30, 1934, the sum of \$3,000,000 for the fiscal year ending June 30, 1935, available until expended.

"SEC. 4. That for the purpose of carrying out the provisions of the act of April 9, 1924 (43 Stat. 90), entitled 'An act authorizing the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges in the national parks and monuments under the jurisdiction of the Department of the Interior,' as amended by the act of January 31, 1931 (46 Stat. 1053), and the act of March 4, 1931 (46 Stat. 1553), there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums, to be available until expended in accordance with the provisions of said acts: The sum of \$7,500,000 for the fiscal year ending June 30, 1934; the sum of \$7,500,000 for the fiscal year ending June 30, 1935; of which sums \$1,500,000 may be allocated each year, in the discretion of the Secretary of the Interior, for the construction, reconstruction, and improvement of approach roads to national parks and national monuments, inclusive of necessary bridges: *Provided*, That in lieu of the total cash appropriations herein authorized the Secretary of the Interior may approve projects, incur obligations, and enter into contracts for additional work each fiscal year not exceeding the difference between the amount of the unobligated appropriation for the particular fiscal year and the amount herein authorized for said fiscal year and his action in so doing shall be deemed a contractual obligation of the Fed-

eral Government for the payment of the cost thereof and appropriations hereafter made for the construction of roads in national parks and national monuments shall be considered available for the purpose of discharging the obligation so created.

"SEC. 5. In every case in which, in the judgment of the Secretary of Agriculture and the highway department of the State in question, it shall be practicable to plant and maintain shade trees along the highways authorized by the act of November 9, 1921, and by this act, the planting of such trees shall be included in the specifications provided in section 8 of said act of November 9, 1921, and the Federal highway act of November 9, 1921, is amended accordingly."

BILL PASSED OVER

The bill (S. 5530) to provide for placing the jurisdiction, custody, and control of the Washington City post office in the Secretary of the Treasury was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

PUBLIC-BUILDING PROJECTS—ORE AND MINERAL RIGHTS

The bill (S. 5588) authorizing the acceptance of title to sites for public-building projects, subject to the reservation of ore and mineral rights, was considered and was read.

Mr. WALSH of Massachusetts. Mr. President, the bill ought to be passed. Under the existing law the Federal Government can not hold property upon which there are any restrictions of any kind. The bill permits the Federal Government to make acceptance of properties, with a provision to reserve the ore or mineral rights to the people who have them. I do not think there can be any objection to the bill. It is recommended by the Post Office Department.

Mr. KING. Mr. President, it would merely mean that the Government could not get the fee title. It would mean that the Government can get the surface rights, as explained in the bill.

Mr. WALSH of Massachusetts. That is true.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That title to sites and additional land for the construction thereon of public-building projects authorized by the emergency relief and construction act of 1932 and subsequent acts may be acquired subject to the reservation of title in and the right to mine ores and minerals on such sites and land.

COLONIAL REALTY CO.

The Senate proceeded to consider the bill (S. 5382) providing for an exchange of lands between the Colonial Realty Co. and the United States, and for other purposes, which was read, as follows:

Be it enacted, etc., That upon execution and delivery by the Colonial Realty Co. of a deed conveying to the United States, title in fee, free of incumbrance, to approximately 1,420 acres of seeped and unproductive lands, as determined by the Secretary of the Interior, in sections 20, 21, 22, 25, 27, 28, 31, 32, 33, and 34, township 39 south, and section 3 of township 40 south, range 9 east, Willamette meridian, Oregon, Klamath project, or to such portion thereof as said company may elect so to convey, the said Secretary is hereby authorized and directed to issue a patent to the Colonial Realty Co., conveying to said company title to approximately an equivalent amount of public lands on the Tule Lake division of the Klamath project in Oregon-California to be selected and designated by said company from available lands in that division: *Provided,* That in order to avoid the expense of additional surveys, and since many of the tracts to be conveyed to the United States are designated as lots by public-land surveys and for this reason the subdivisions contain areas both less than and in excess of legal subdivision, the areas conveyed to the Government and the areas patented by the Government need be only approximately of the same acreage: *Provided further,* That should any legal subdivision of the lands herein described consist of more than 50 per cent of unproductive land the whole subdivision may, at the option of said company, be conveyed to the United States, with the right of exchange of an equivalent area as herein authorized.

SEC. 2. That all charges heretofore paid on account of construction and operation and maintenance on the unproductive lands to be conveyed to the United States shall be credited upon the unpaid construction and operation and maintenance charges payable on account of the productive lands, if any, of said Colonial Realty Co. situate within the boundaries of the Klamath irrigation district retained by said company. Should such credits be more than sufficient to pay all construction and operation and maintenance charges accrued and unpaid at the time of conveyance against the productive area retained by said company in the Klamath irrigation district, such excess credits shall be transferred to the irrigable lands in the Tule Lake division patented by the Secretary of the Interior to said company as herein authorized.

SEC. 3. The Klamath irrigation district, upon agreeing to the exchange of lands and transfer of credits herein authorized, shall be credited by the United States with all amounts heretofore paid by it on account of the construction and operation and maintenance charges assessed against unproductive lands in said district conveyed by the company to the United States under authority of this act, and the district shall be relieved of the payment to the United States of any further construction or operation and maintenance charges on account of the land so conveyed.

SEC. 4. The water-right charges payable by said company or its successor on the Tule Lake lands patented pursuant to this act shall be the same as those fixed for similar lands in that district and shall be subject to payment in the same manner, subject to the allowance of credits as herein authorized. Such credits shall be applied in reduction of the construction charge fixed for the Tule Lake division.

Mr. KING. Mr. President, will the Senator from Oregon make a brief explanation of the bill and state whether it relates to the Klamath Indian Reservation?

Mr. McNARY. No, Mr. President; it does not refer to that reservation. The Klamath irrigation district is located partly in Oregon and partly in northern California. The company referred to in the bill acquired several sections of land; but on account of the seepage of the Government ditch, it became waterlogged and useless. Consequently, in order to be fair and equitable to the purchaser, the bill simply provides that the Government shall exchange good land in the irrigation district for the waterlogged land which is useless and valueless. The bill has received the recommendation of the Secretary of the Interior and the Commissioner of Reclamation who has jurisdiction over the district.

Mr. KING. As I understand, it does not involve any Indian reservation?

Mr. McNARY. Oh, no.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MORRISTOWN NATIONAL HISTORICAL PARK, N. J.

The Senate proceeded to consider the bill (S. 5469) to provide for the creation of the Morristown National Historical Park in the State of New Jersey, and for other purposes.

Mr. KING. Mr. President, I stated the other day that from investigations I had made I thought there were entirely too many national parks. There seems to be a mania for putting under the control of the Federal Government every spot of scenic beauty and that has some unique quality. I am rather reluctant to assent to the creation of any more parks at the present time.

Mr. KEAN. Mr. President, will the Senator withhold his objection for a moment?

Mr. KING. I will withhold my objection for a moment.

Mr. KEAN. Mr. President, this bill was introduced last year while the country was celebrating the bicentennial of the birth of Washington. It was thought to be exceedingly appropriate that there should be acquired in New Jersey the lands where Washington's troops were camped and also the house in which he lived for three years during the darkest days of the American Revolution. On the soil of New Jersey there were fought more battles during the Revolutionary War than in any other State of the Union. Morristown to-day is a strategic point in the United States if an invading army should ever attempt to invade the United States. It is well known that the site of the proposed Morristown National Historical Park is one of the most historic points in the United States, and I hope the Senator from Utah, coming as he does from a race that has served the United States well, not only in Utah but in other States, and being a patriotic citizen, will consent to passage of this bill.

Mr. WALSH of Massachusetts. Mr. President, after the plea which has been made by the Senator from New Jersey I am sure the Senator from Utah will withdraw his objection.

Mr. KING. Mr. President, of course it is very ungracious, after the very complimentary reference made by my friend, to interpose any objection. I find, however, on page 4 an amendment has been offered which provides—

That no appropriation of Federal funds for administration, protection, and maintenance of said park in excess of \$7,500 annually shall be made for the fiscal years 1934, 1935, and 1936.

Whenever a national park is created, the next thing, of course, is to secure a large appropriation. I think the Senator from New Jersey had better eliminate that amendment, and then perhaps the bill may get through.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. KING. I appeal to my friend to eliminate that amendment.

Mr. KEAN. Very well, Mr. President; I will consent that the amendment be rejected.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, in section 1, page 2, line 10, after the name "Morristown," to strike out "to be accepted subject to existing water rights," so as to make the section read:

That when title to all the lands, structures, and other property in the military camp-ground areas and other areas of Revolutionary War interest at and in the vicinity of Morristown, N. J., as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-park purposes shall have been vested in the United States, such areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Morristown National Historical Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas, but such lands shall be secured by the United States only by public or private donation: *And provided further*, That such areas shall include, at least, Jockey Hollow camp site, now owned by Lloyd W. Smith and the town of Morristown; Fort Nonsense, now owned by the town of Morristown; and the George Washington headquarters, known as the Ford House, with its museum and other personal effects and its grounds, now owned by the Washington Association of New Jersey.

The amendment was agreed to.

The next amendment was, in section 6, page 4, line 11, to insert:

Provided, That no appropriation of Federal funds for administration, protection, and maintenance of said park in excess of \$7,500 annually shall be made for the fiscal years 1934, 1935, and 1936.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was rejected.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MEMORIAL TO DIPLOMATIC AND CONSULAR OFFICERS

The joint resolution (S. J. Res. 237) authorizing the erection in the Department of State Building of a memorial to the American diplomatic and consular officers who while on active duty lost their lives under heroic or tragic circumstances was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the Director of Public Buildings and Public Parks of the National Capital be, and he is hereby, authorized to grant permission to the American Foreign Service Association for the erection of a memorial to the American diplomatic and consular officers who while on active duty lost their lives under heroic or tragic circumstances. The design of the memorial shall be approved and the site in the Department of State Building shall be chosen by the Commission of Fine Arts, and the United States shall be put to no expense in or by the erection of the said memorial.

DISPOSAL OF LIGHTHOUSE RESERVATIONS

The bill (S. 5581) authorizing the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes, was read, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized to convey to the State of Wisconsin for State park purposes that portion of the Eagle Bluff Lighthouse Reservation, Wis., which is not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and bounds in the deed of conveyance the exact portion of the reservation transferred: *Provided*, That the Secretary of War may enter upon and utilize for the purpose of obtaining stone for river and harbor work, and other uses of the department, any area within said tract which he may determine to be necessary for such purpose. Authority is also hereby granted to lease to the State of Wisconsin

that portion of the lighthouse reservation not transferred for a period of 25 years, subject to revocation at any time by the Secretary of Commerce.

Sec. 2. The Secretary of Commerce is authorized to convey to the city of Muskegon, Mich., a portion of the Muskegon Lighthouse Reservation, Mich., consisting of 1 acre, located at the foot of Beach Street, in the said city of Muskegon, formerly occupied by light keeper's dwelling, in exchange for a parcel of land 80 feet wide north and south by approximately 500 feet long, extending to the shore of Lake Michigan, containing ninety-two one-hundredths of an acre, lying adjacent on the south to property now occupied by light keeper's dwelling. The city of Muskegon will be required to furnish a fee-simple title good of record and free of all incumbrances, together with abstract of title acceptable to the Attorney General of the United States.

Sec. 3. The Secretary of Commerce is authorized to convey to the borough of Keansburgh, N. J., that portion of the Point Comfort Lighthouse Reservation, N. J., not required for lighthouse purposes under the following conditions: The property will be used for public beach or park purposes; the property will be kept in good condition by the borough of Keansburgh; no buildings or other structures will be erected on the property which would in any way interfere with the operation of the light; the Lighthouse Service shall have right of way over the property at all times to and from the light; the Lighthouse Service shall have right of way for the maintenance of the existing pole lines across the property; and the Lighthouse Service may make future use of the property that may be found necessary in connection with maintaining aids to navigation.

Sec. 4. The Secretary of Commerce is hereby authorized to convey to the Lower Township of Cape May County, State of New Jersey, for public-roadway purposes that portion of the Cape May Light Station which is not required to be retained for lighthouse purposes, consisting of a strip of land 50 feet in width and approximately 217 feet in length, said land to be described by metes and bounds in the deed of conveyance.

Sec. 5. The Secretary of Commerce is hereby authorized to convey to the board of selectmen of the town of Chatham, Mass., for roadway and public-park purposes such portions of the Chatham Lighthouse Reservation, Mass., as are not required to be retained for lighthouse purposes. The deed of conveyance shall describe by metes and bounds the exact portions of the reservation transferred.

Sec. 6. The Secretary of Commerce is hereby authorized to convey to the city commission of the city of St. Augustine, Fla., for public-park purposes that portion of the Anastasia Island Lighthouse Reservation, Fla., which is not required to be retained for lighthouse purposes, consisting of lots 1 and 2, section 21, township 7 south, range 30 east, Tallahassee, Fla., excepting that part of lot 2 between the 5-acre lighthouse tract and the hard-surfaced road, together with a perpetual easement for beams of light across any part of the land that may be between the lighthouse and the sea: *Provided*, That no conveyance of the property shall be made until such time as the city commission of the city of St. Augustine shall have agreed in writing to relieve the United States from being a party to any claims or litigation through the acquisition of the land in question by the city of St. Augustine, and that satisfactory agreements are reached with holders of record to subdivided lands in said lots 1 and 2 prior to 1923. The deed of conveyance shall be subscribed by metes and bounds the exact portions of the reservation transferred.

Sec. 7. The Secretary of Commerce is hereby authorized to transfer to the War Department of the Marblehead Lighthouse Reservation, Mass., reserving unto the Department of Commerce an area of 100 feet square surrounding the lighthouse tower, together with a right of way by land and sea.

Sec. 8. The Secretary of Commerce is hereby authorized to transfer to the Treasury Department the Grosse Isle Lighthouse Reservation, Wayne County, Mich., to be occupied by the Customs Service as a patrol base. The reservation consists of approximately eleven one-hundredths of an acre, more or less.

Sec. 9. That the Secretary of Commerce is authorized to acquire by exchange a parcel of land located in Atlantic County, N. J., under the jurisdiction of the Board of Chosen Freeholders of Atlantic City, N. J., and offered by that board in exchange for the present site, belonging to the United States, acquired for lighthouse purposes, situate on what is known as Rum Point, containing approximately 3 4/10 acres, more or less, as a more suitable site for the establishment of a lighthouse depot at that point to care for increased activities within the third lighthouse district.

Sec. 10. The Secretary of Commerce is hereby authorized to transfer to the Navy Department the Blakistone Island Lighthouse Reservation, Md. The reservation is no longer required for lighthouse purposes.

Sec. 11. The Secretary of Commerce and the Secretary of the Treasury are hereby authorized to acquire by transfer from the War Department certain unused property located adjacent to the South Pier, Buffalo Harbor, N. Y., which is now reserved for military purposes but not required for such purpose by the War Department, excepting therefrom the United States South Pier. Two parcels of the land containing 5 36/100 acres and 8 68/100 acres, respectively, may be transferred to the Secretary of Commerce for lighthouse purposes, and one parcel of land containing 14 55/100 acres may be transferred to the Secretary of the Treasury for Coast Guard activities.

Sec. 12. That the act of February 18, 1931 (46 Stat. 1172), entitled "An act to reserve for public use rocks, pinnacles, reefs, and small islands along the sea coast of Orange County, Calif.," is

hereby amended to reserve for lighthouse purposes the San Juan and San Mateo Rocks and the two rocks in the vicinity of Laguna Beach, off the coast of Orange County, Calif.

Sec. 13. Each conveyance authorized by sections 1, 2, 3, 4, 5, and 6 shall be subject to the express condition that the grantee assume the obligations imposed by such sections, including carrying out the purposes of the grant. The Secretary of Commerce may at any time, by letter addressed to its chief executive officer or officers, notify any such grantee which has not begun to perform, or has ceased to perform, any such obligation that the property so conveyed will revert to the United States; and if such grantee does not begin or resume the performance of such obligation within a period of six months from the date of such notice, such property shall, upon the expiration of such period, revert to the United States without further notice or demand or any suit or proceeding. The United States reserves the right to resume ownership, possession, and control, for Government purposes, of any of the property so conveyed, at any time and without the consent of the grantee.

MAJ. O. S. MC'CLEARY, UNITED STATES ARMY, RETIRED

The bill (S. 2508) for the relief of Maj. O. S. McCleary, United States Army, retired, was read, considered, ordered to be engrossed for a third time, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to allow to Maj. O. S. McCleary, United States Army, retired, the sum of \$148.98, being difference between active-duty pay and allowances and retired pay for period from July 2 to 20, 1927, while he was on leave from active duty to which as a retired officer he was assigned.

BILL PASSED OVER

The bill (S. 4326) for the relief of R. S. Howard Co. (Inc.), was announced as next in order.

Mr. KING. Over.

The PRESIDING OFFICER. The bill will be passed over.

W. H. HENDRICKSON

The bill (S. 2862) for the relief of W. H. Hendrickson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. H. Hendrickson, of Salt Lake City, Utah, the sum of \$250 in full satisfaction of his claim against the United States arising out of the sale of a Ford truck to him by the prohibition administrator on June 7, 1930, at Salt Lake City, Utah.

JOHN O'NEIL

The Senate proceeded to consider the bill (H. R. 5989) for the relief of John O'Neil, which had been reported from the Committee on Naval Affairs with an amendment in line 9, after the word "Provided," to strike out "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act" and to insert "That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John O'Neil, late of United States Naval Reserve Force, shall hereafter be held and considered to have been discharged under honorable conditions from the naval service of the United States on the 10th day of October, 1918: *Provided,* That no compensation, retirement pay, back pay, pension, or other benefits shall be held to have accrued prior to the passage of this act.

Mr. KING. Mr. President, I ask the Senator from Massachusetts whether this bill falls within the rule which he announced yesterday?

Mr. WALSH of Massachusetts. Mr. President, I am not familiar with the exact facts in this case, but I do know that no relief bills of this nature are passed by the full committee without falling within the rule announced yesterday.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

OLEN H. PARKER

The Senate proceeded to consider the bill (H. R. 9473) for the relief of Olen H. Parker, which had been reported from the Committee on Naval Affairs with an amendment on

page 1, line 9, after the word "Provided," to strike out "That no bounty, back pay, pension, compensation, or allowance of any kind shall be held to have accrued prior to the passage of this act" and to insert "That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of the compensation laws and laws conferring rights and privileges upon honorably discharged soldiers, sailors, marines, and so forth, their widows and dependent relatives, Olen H. Parker shall hereafter be held and considered to have been discharged under honorable conditions from the United States Marine Corps on May 10, 1919: *Provided,* That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NAVAL RESERVE AND MARINE CORPS RESERVE

The Senate proceeded to consider the bill (H. R. 5329) to amend section 24 of the act approved February 28, 1925, entitled "An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve," as amended by the act of March 2, 1929.

Mr. KING. Mr. President, I should like to have an explanation of that measure.

Mr. SHORTRIDGE. Mr. President, the report sets forth the facts. The bill really was initiated by the Navy Department and they recommend favorable action. However, in compliance with the Senator's request, let me say that he will note in the report, beginning with the second paragraph, the following:

Under present law the Secretary of the Navy has authority to stop the retainer pay of men transferred to the reserve prior to July 1, 1925, who fail to report for inspection. As to men transferred to the reserve after July 1, 1925, the Comptroller General has ruled pay can not be stopped except by the sentence of court-martial; the purpose of this bill is to correct this situation, so that the Secretary of the Navy may have authority to stop the retainer pay of any and all members of the reserve who fail to report for inspection when called.

Mr. KING. Mr. President, I am not sufficiently acquainted with the measure to be sure, but it seems to change the existing law. I shall not object to its passage with the understanding that I shall call up Mr. McCarl, the Comptroller General, in whom I have great confidence, and if he feels that this is not a modification of the existing law, and does not restrict him in the authority which has been conferred upon him, I shall not move to reconsider; but if he shall report otherwise, I shall move to reconsider and ask the Senator to permit the bill to go back on the calendar. Is that understood?

Mr. SHORTRIDGE. That is understood, and is quite agreeable to me.

The bill was ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 9166) for the relief of William E. B. Grant was announced as next in order.

Mr. WALSH of Massachusetts. Mr. President, I notice there is a similar Senate bill on the calendar. Not knowing which bill the Senator from Maryland [Mr. TYDINGS] desires to have passed, I think I shall ask that the bill go over temporarily.

The PRESIDING OFFICER. The bill will be passed over temporarily.

JOHN HUNTZ ROLOFF

The Senate proceeded to consider the bill (H. R. 9272) to correct the rating of John Huntz Roloff, Fleet Naval Reserve, which had been reported from the Committee on Naval Affairs with an amendment, on page 2, line 4, after the word "Provided," to strike out "That no bounty, back pay, or allowance shall be held to have accrued prior to the passage of this act" and insert "That no compensation, retirement

pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act," so as to make the bill read:

Be it enacted, etc., That John Huntz Roloff, chief machinist's mate, acting appointment, Fleet Naval Reserve, shall be deemed to hold the rating of chief machinist's mate, permanent appointment, Fleet Naval Reserve, from date of the approval of this act, because John Huntz Roloff was found qualified for the rating of chief machinist's mate, permanent appointment, on July 22, 1922, and recommendation for the promotion was forwarded to the Navy Department, where the papers concerning the advancement were filed and no action taken, and said Roloff was transferred to the Fleet Naval Reserve from the active list on September 20, 1922, without having received the promotion for which he had been found qualified and had been recommended: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BRIDGE BILLS

The PRESIDING OFFICER. The next three bills on the calendar are House bridge bills, and, without objection, will be considered en bloc.

Mr. LEWIS. Mr. President, I rise being slightly solicitous as to order of business No. 1268, being House bill 14129, and to make sure of its being passed, as it is the great desire of my constituency to have the privilege sought in the construction of the bridge connecting Lake Michigan and the Chicago River, and I may add the definition of the place that attends and attaches to the location is what is known as the Ogden Slip. I may add that this is not the only slip that exists in my community, but it is one in which they are very much interested in having at once bridged.

The PRESIDING OFFICER. The Senator is not objecting to the passage of the bill, is he? [Laughter.]

Mr. LEWIS. Oh, no. I am urging its immediate and unanimous passage.

The following bills were severally considered, ordered to a third reading, read the third time, and passed:

H. R. 13974. An act granting the consent of Congress to Bonner County, State of Idaho, to construct, maintain, and operate a free highway bridge across Pend Oreille Lake at the city of Sandpoint in the State of Idaho;

H. R. 14129. An act to extend the time for completing the construction of a bridge across that portion of Lake Michigan lying opposite the entrance to Chicago River, Ill.; and a bridge across the Michigan Canal, otherwise known as the Ogden Slip, in the city of Chicago, Ill.; and

H. R. 14200. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Alexandria Bay, N. Y.

LOCAL COOPERATION IN WATERWAY IMPROVEMENTS

The joint resolution (S. J. Res. 235) amending provisions in river and harbor laws relating to local cooperation in the prosecution of waterway improvements was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of that joint resolution?

Mr. BULKLEY. Mr. President, under the act of 1930 providing for river and harbor improvements there were a number of cases where contributions of specific sums of money were required by local interests. Since that time the cost of doing construction work has been considerably reduced so that in some cases it is actually being accomplished for not much more than 50 per cent of the cost as estimated at the time the project was undertaken. Under those circumstances it does not seem fair that the local contributions should remain the same as required under the original estimate.

This joint resolution would authorize the Secretary of War to reduce local contributions in such cases so that the local contributions would bear the same proportion to the actual cost of the work as was originally intended; that is to say, that they would bear the same proportion to the actual cost

of the work as the fixed contribution under the law bears to the estimated cost of the work.

Mr. McKELLAR. Has the joint resolution the approval of the War Department?

Mr. BULKLEY. I think the War Department has not as yet reported on it.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Commerce, with an amendment, on page 1, after line 5, to insert "subject to the approval of the Board of Engineers for Rivers and Harbors," so as to make the joint resolution read:

Resolved, etc., That when the authorization of a project of river and harbor improvement requires that local interests shall contribute a specific sum of money toward its cost, the Secretary of War, subject to the approval of the Board of Engineers for Rivers and Harbors, may reduce the sum to be contributed to an amount which shall be in the same ratio to the amount of the required contribution as the actual cost of the work to which said contribution is applicable bears to its original estimated cost as set forth in the project document: *Provided*, That the reduction hereby authorized shall not extend to contributions heretofore made.

The amendment was agreed to.

Mr. CONNALLY. This proposed amendment of the law, it seems to me, is ill advised. It seems to me that the authority ought to rest in the Secretary of War. He is the responsible authority, and to make his action dependent upon what the Board of Army Engineers should advise him seems to me undue infringement on the power of a Cabinet officer. So I hope the amendment will be rejected.

Mr. McKELLAR. He naturally would have to get the facts from the Board of Engineers.

Mr. CONNALLY. To be sure.

Mr. McKELLAR. And he would not approve unless he had their approval, anyway.

Mr. CONNALLY. That is the point exactly. Therefore it is unnecessary.

Mr. VANDENBERG. Mr. President, I shall have to object to the consideration of the joint resolution.

Mr. KING. I call for the regular order.

The PRESIDING OFFICER. The joint resolution is objected to and will be passed over.

Mr. BULKLEY subsequently said: Mr. President, I ask to return to Order of Business No. 1270, S. J. Res. 235. I am now advised by the Senator from Texas [Mr. CONNALLY] that he will not insist upon his opposition to the committee amendment, and in that case I understand that the Senator from Michigan [Mr. VANDENBERG] will withdraw his objection to the consideration of the joint resolution.

The PRESIDING OFFICER. The amendment has been agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

REINTERMENT OF DEAD BODIES IN THE DISTRICT

The Senate proceeded to consider the bill (S. 5052) authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late Annie Regina Brahler from St. Mary's Cemetery to Cedar Hill Cemetery, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and to insert:

That section 93 of title 5 of the Code of Law for the District of Columbia is hereby amended by adding thereto the following proviso: "*Provided*, That the health officer of the District of Columbia may, in his discretion, authorize the opening, under sanitary precautions, of any such grave, and the disinterment and reinterment in the same grave or other suitable burial ground, of the dead body of any person who has died of any of the contagious diseases enumerated above."

Mr. WALSH of Massachusetts. Mr. President, I think the Committee on the District of Columbia is to be commended for abolishing the practice of requiring the passage of individual bills granting permission to move dead bodies, where persons have died of a contagious disease, by recom-

mending a general law on the subject. We have too many of those special bills.

Mr. KING. Mr. President, I desire to say to my friend from Massachusetts that the District Commissioners would have far greater power than they now possess to deal with these local questions which require special legislation if the people of the District could agree among themselves as to what powers they desire. We have introduced measures from time to time in the committee to enlarge the powers of the District Commissioners so as to enable them to deal with these matters instead of bringing every little question to Congress; but the people of the District have controversies among themselves as to the authority which they desire conferred upon their own commissioners.

Mr. WALSH of Massachusetts. I think this bill illustrates the absurdity of coming to the Congress of the United States with a bill to get permission to move a dead body from one cemetery in the city to another.

Mr. KING. I agree with the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to empower the health officer of the District of Columbia to authorize the opening of graves, and the disinterment and reinterment of dead bodies, in cases where death has been caused by certain contagious diseases."

CALL OF THE ROLL

Mr. BINGHAM. I suggest the absence of a quorum.

The PRESIDING OFFICER. Will not the Senator permit us to complete the calendar? We are about to take up the last bill on the calendar.

Mr. BINGHAM. For the purpose of calling the attention of certain Senators who are not present to the bill, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dale	Keyes	Schuyler
Austin	Davis	King	Sheppard
Bailey	Dickinson	La Follette	Shipstead
Bankhead	Dill	Lewis	Shortridge
Barkley	Fess	Logan	Smith
Bingham	Fletcher	McGill	Smoot
Black	Frazier	McKellar	Steiwer
Blaine	George	McNary	Stephens
Borah	Glass	Metcalf	Swanson
Bratton	Glenn	Moses	Thomas, Idaho
Brookhart	Goldsborough	Neely	Thomas, Okla.
Bulkeley	Gore	Norbeck	Townsend
Bulow	Grammer	Norris	Trammell
Byrnes	Hale	Nye	Tydings
Capper	Harrison	Oddie	Vandenberg
Caraway	Hastings	Patterson	Wagner
Clark	Hatfield	Pittman	Walcott
Connally	Hayden	Reed	Walsh, Mass.
Coolidge	Hebert	Reynolds	Walsh, Mont.
Copeland	Hull	Robinson, Ark.	Watson
Costigan	Johnson	Robinson, Ind.	White
Couzens	Kean	Russell	
Cutting	Kendrick	Schall	

The PRESIDING OFFICER. Ninety Senators have answered to their names. A quorum is present. The clerk will state the next bill on the calendar.

BILL PASSED OVER

The bill (S. 5553) to relieve destitution in the District of Columbia was announced as next in order.

Mr. KING. Mr. President, a number of Senators are interested in this bill, one of whom desires to be heard upon it. In view of that fact, I suggest that it go over. We will have an opportunity to consider it a little later.

The PRESIDING OFFICER. The bill will be passed over. That completes the calendar.

AMENDMENT OF RADIO ACT

Mr. DILL. Mr. President, under Rule VIII, I move that the Senate proceed to the consideration of H. R. 7716, to provide certain amendments to the radio law.

The PRESIDING OFFICER. The question is on the motion of the Senator from Washington.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7716) to amend the radio act of 1927, approved February 23, 1927, as amended (U. S. C., Supp. V, title 47, ch. 4), and for other purposes, which had been reported from the Committee on Interstate Commerce, with amendments.

Mr. DILL. Mr. President, I think I might make a short statement to explain the nature of this bill.

The PRESIDING OFFICER. Does the Senator wish to dispense with the formal reading of the bill and have the committee amendments considered first?

Mr. DILL. I should like to have that done.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DILL. Mr. President, this bill consists of several pages; but most of the pages are taken up with a reprint of the present provisions of the radio law that are amended, in order that Senators may know what the law is like when it has been amended. For that reason there are not so many changes as might seem to be the case at first glance at the bill.

The bill is designed first to provide certain changes in the hearings by the commission. The commission never has had any specific statute under which to hold hearings, and this bill attempts to set up a procedure for hearings. Since there are so many hearings by the commission, it seems highly desirable that this subject should be covered by statute.

Then there are certain minor changes regarding the transfer of licenses to holding companies, and certain amendments regarding appeal procedure by the committee. It has been felt that the appeal provision of the present law is somewhat lacking in definiteness, and therefore that this procedure should be more specifically stated by statute.

Then there is an amendment known as the amendment prohibiting the advertising of lotteries by radio, as newspapers are now forbidden, and another amendment of considerable importance enlarging the equality provision of the use of radio for political purposes.

I think we can discuss the amendments as we come to them, if Senators desire to ask questions.

Mr. KING. Mr. President, may I inquire of the Senator whether the bill enlarges materially the powers of the commission to deal with wave-lengths, and to extend greater privileges and restrict certain privileges?

Mr. DILL. No; I think it gives no added power to the commission, but only defines probably a little more clearly certain powers of the commission.

Mr. KING. It relates to administration rather than to what might be denominated substantive law?

Mr. DILL. With the exception of the matter of lotteries, it is largely a matter of amendments of a technical nature to the existing statute.

Mr. KING. It does not increase the number of employees?

Mr. DILL. No; it does not.

Mr. KING. Or increase the expenses?

Mr. DILL. We hope it will cut down some of the expenses.

I ask to have the amendments stated.

The PRESIDING OFFICER (Mr. DICKINSON in the chair). The clerk will read the bill for amendment, the amendments of the committee to be first considered.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Interstate Commerce was, on page 3, line 4, after the name "Guam," to strike out "Eastern" and insert "American," so as to read:

The Virgin Islands, Puerto Rico, Alaska, Guam, American Samoa, and the Territory of Hawaii are expressly excluded from the zones herein established, but this act shall otherwise apply to them with equal force and effect.

The amendment was agreed to.

The next amendment was, on page 4, line 16, after the word "member," to insert "or members"; in the same line, after the word "commission," to strike out "or any examiner or other officer or employee thereof," so as to read:

The commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and the ends of justice. The commission may hold public hearings and order testimony to be taken by deposition, at any designated place, in connection with any proceeding or investigation authorized by this act, and may require the attendance and testimony of witnesses and the production of documentary evidence, from any place in the United States, at any designated place of hearing. Any member or members of the commission, when duly designated by the commission for such purpose, may hold hearings, sign and issue subpoenas, administer oaths, examine witnesses, and receive evidence at any place within the jurisdiction of the United States designated by the commission.

The amendment was agreed to.

The next amendment was, on page 4, line 21, after the word "commission," to insert a colon and the following provisos:

Provided, That the commission may authorize examiners to hold hearings and exercise all of the powers herein granted the commission in connection with holding hearings in cases not involving a change of policy by the commission, a transfer of the use of radio facilities from one zone to another, a change of regulations, new devices or developments in radio, or a new kind of use of frequencies: *Provided further*, That in all cases heard by an examiner the commission shall grant oral arguments on request of either party.

The amendment was agreed to.

The next amendment was, on page 5, line 8, after the word "thereof," to strike out "or before an examiner or other officer or employee thereof" and insert "or an examiner," so as to read:

In case of failure to comply with any subpoena or in case of the contumacy of any witness appearing at any hearing before the commission, a commission thereof, or an examiner, the commission may invoke the aid of any district court of the United States. Such a court may thereupon order the witness to comply with the requirements of the subpoena or to give evidence which is relevant to the matter in question; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

The amendment was agreed to.

The next amendment was, on page 5, line 25, after the words "before the," to strike out "commission or" and insert "commission"; on page 6, line 1, after the word "thereof," to strike out "or before an examiner or other officer or employee of the commission" and insert "or an examiner"; in line 4, after the word "commission," to strike out "or"; in line 5, after the word "thereof," to strike out "or of any examiner or other official or employee thereof" and insert "or of an examiner"; and in line 9, after the word "interested," to insert "as shall all opinions or memorandum opinions filed by the commission in support of its decisions," so as to read:

A majority of the commission shall constitute a quorum for the transaction of business, but no commissioner shall participate in any hearing or proceedings in which he has a pecuniary interest. The commission may, from time to time, make or amend such general rules or orders as may be requisite for the order and regulation of the proceedings before it, including forms of notices and the service thereof, which shall conform, as nearly as may be, to those in use in the courts of the United States. Any party to any proceeding may appear before the commission, any commissioner thereof, or an examiner holding any hearing and be heard in person or by attorney. Every vote and official act of the commission, of any commissioner thereof, or of an examiner, in any hearing, proceeding, or investigation, shall be entered of record, and such record shall be public upon the request of any party interested, as shall all opinions or memorandum opinions filed by the commission in support of its decisions.

The amendment was agreed to.

The next amendment was, on page 6, line 22, after the word "commission," to strike out "or"; in the same line, after the word "thereof," to strike out "or any examiner, official, or employee thereof," and insert "or an examiner"; so as to read:

The commission may order testimony to be taken by deposition in any proceeding or investigation pending under this act at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the commission and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be

compelled to appear and testify and produce documentary evidence before the commission, any commissioner thereof, or an examiner, as hereinbefore provided.

Mr. KING. Mr. President, I ask the Senator from Washington, having the bill in charge, whether he regards this rather extraordinary conferring of authority upon examiners, to compel attendance of witnesses, and to require individuals to be present and testify is not too great authority to confer upon the examiners?

Mr. DILL. Mr. President, perhaps I should say that the authority is conferred upon the commission, and if we are to allow examiners to hold hearings for the commission, we must give them this power.

Under the present procedure the commission has proceeded to do all these things, and is holding practically all of the hearings by means of examiners. I do not believe, and never have believed, that under the statute they had that right, because the law simply authorizes the commission to hold hearings, and then it provides they may appoint examiners. The commission has proceeded to follow a system such as that used in the Interstate Commerce Commission.

The Senator will note that we have limited the hearings which examiners may hold. All of the new questions and new policies which might be raised before the commission must be considered by the commission or a commissioner.

We have also provided that when an examiner does hold a hearing the commission must permit oral argument. For many months now they have had hearings conducted by examiners, and the cases have been submitted to the commission, and sometimes the parties were unable to get even a hearing before the commission. It is to put a stop to this procedure that this amendment was written in this way.

Mr. KING. Mr. President, the Senator, with his experience, and knowing the conduct too often of bureaucrats, knows that to confer upon persons, many of whom may not have had large judicial experience, authority to hale witnesses before them and compel them to testify is going a long way.

Mr. DILL. Mr. President, I may say it is a policy we have followed in connection with the Interstate Commerce Commission; and if a hearing by an examiner is to be effective, of course the examiner must have the power conferred in this amendment. Personally I should have liked to provide that all hearings should be held by the commission itself, or some member of the commission, but I was overridden by the committee in that viewpoint, and I accepted this amendment as a substitute, requiring, as we do here, that all hearings affecting the development of radio or new problems of radio shall be heard before the commission.

Mr. KING. Mr. President, I share the views of the Senator. I think all such questions ought to be heard before the commission, because it is a very important matter, and the importance of radio and its activities will become more apparent as the days go by. But if the Senator has given attention to this and is willing to accept it, I shall pretermit any further objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 7, line 11, before the word "any," to strike out "or," in the same line, after the word "commissioner" to strike out "examiner, or other officer or employee thereof," and insert "or examiner," so as to read:

No person shall be excused from attending and testifying or answering any lawful inquiry or from deposing or from producing documentary evidence before the commission, any commissioner, or examiner or in obedience to the subpoena of the commission, whether such subpoena is signed or issued by one or more commissioners, or by any other person duly authorized, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of this act or upon the taking of any deposition herein provided for, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no natural person shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled under oath so to testify,

answer, or produce evidence, documentary or otherwise: *Provided*, That no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

The amendment was agreed to.

The next amendment was, on page 9, line 5, after the name "Guam," to strike out "Eastern" and insert "American," so as to read:

The provisions of this section shall not apply to the Virgin Islands, Puerto Rico, Alaska, Guam, American Samoa, and the Territory of Hawaii.

The amendment was agreed to.

Mr. SHIPSTEAD. Mr. President, I would like to ask the Senator from Washington whether these amendments are proposed as the result of a hearing that was held.

Mr. DILL. Mr. President, some of the amendments are; some of them were prepared as a result of previous hearings.

Mr. SHIPSTEAD. Was the bill recommended by the committee unanimously?

Mr. DILL. Yes; the report was unanimous. What particular phase of the question did the Senator have in mind?

Mr. SHIPSTEAD. I attended the hearing, and I found many objections to the bill as it was being considered in the committee.

Mr. DILL. I may say to the Senator that the representative of the broadcasters, Mr. Fellows, came before the committee, and has since written me a letter stating that while we did not put in all of the changes they had hoped for that we had remedied most of the things of which complaint was made.

Mr. SHIPSTEAD. The Senator feels that most of the objections I heard raised in the hearing will be eliminated by these amendments?

Mr. DILL. I think so.

The next amendment was, on page 10, line 20, after the word "which," to strike out "any officer or director is an alien" and insert "more than one-fifth of the directors are aliens"; so as to read:

SEC. 12. The station license required hereby shall not be granted to, or after the granting thereof such license shall not be transferred in any manner, either voluntarily or involuntarily (or indirectly by transfer of control of any company, corporation, or association holding such license), to (a) any alien or the representative of any alien; (b) to any foreign government or the representative thereof; (c) to any company, corporation, or association organized under the laws of any foreign government; (d) to any company, corporation, or association of which more than one-fifth of the directors are aliens or of which more than one-fifth of the capital stock may be voted by aliens or their representatives, or by a foreign government or representative thereof, or by any company, corporation, or association organized under the laws of a foreign country: *Provided, however*, That nothing herein shall prevent the licensing of radio apparatus on board any vessel, aircraft, or other mobile station of the United States when the installation and use of such apparatus is required by act of Congress or any treaty to which the United States is a party.

The station license required hereby, the frequencies or wave length or length authorized to be used by the licensee, and the rights therein granted shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any company, corporation, or association holding such license, to any person, firm, company, association, or corporation, unless the commission shall, after a hearing, decide that said transfer is in the public interest, and shall give its consent in writing.

Mr. DILL. Mr. President, that language was inserted by mistake, and was not intended by the committee. I should like to offer a substitute on page 10, line 20, for the amendment as it is printed.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Washington as a substitute.

The CHIEF CLERK. In lieu of the amendment as printed, the Senator from Washington moves to amend line 20 so that it will read, "of which any officer is an alien or more than one-fifth of the directors are aliens."

Mr. WHITE. Mr. President, are we considering only committee amendments at this time?

The PRESIDING OFFICER. That is the order.

Mr. WHITE. I give notice that at the appropriate time I will move to strike out this whole section.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington in the nature of a substitute.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 11, line 22, after the word "revoked," to strike out the comma and "modified, or suspended" and insert "or the station owner fined not to exceed \$1,000," so as to read:

SEC. 9. Section 14 of the radio act of 1927 (U. S. C., Supp. V, title 47, sec. 94) is amended by striking out the words "Any station license shall be revocable by the commission," in the first line of said section, and by inserting in lieu thereof the following: "Any station license may be revoked or the station owner fined not to exceed \$1,000 by the commission."

The amendment was agreed to.

Mr. KING. Mr. President, the Senator from Washington knows that there have been many complaints, whether reasonable or unreasonable I do not intend to suggest, in regard to alleged discrimination in the granting of licenses, and complaints have been made because of alleged arbitrary cancellation or revocation of licenses. Complaints have been made that some stations have received too great privileges and others denied reasonable rights. I inquire of the Senator whether those complaints have been fully considered, and the bill as it is now presented deals with this question in as fair and just a way as the wisdom of the committee permitted them to suggest.

Mr. DILL. Mr. President, in reply to the Senator I may say that the committee did not attempt to recommend legislation which would restrict the commission in some of its powers, which would be necessary if we were to remedy the complaints which have been made. The fact of the matter is that most of the complaints which the Senator mentions are complaints which go to the discretion of the commission itself, and it is my opinion that the better way to meet those objections would be rather to change the personnel of the commission, than to hamper a commission by a series of provisions that would hinder a commission from giving more satisfactory and more just decisions. This particular amendment, however, refers to the matters of revocation and fine, and this amendment, together with the one which follows, is designed to provide a little more definite procedure as to hearings before a revocation can be effected. The committee thought that was desirable.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 12, line 2, after the word "revoke" to strike out the comma and "modified, or suspended" and insert "and no station owner fined," and in line 6, after the word "given" to strike out "reasonable opportunity" and insert "15 days," so as to make the proviso read:

Said section is further amended by striking out all of the proviso in said section and by inserting in lieu thereof the following: *Provided, however*, That no license shall be revoked and no station owner fined until the licensee shall have been notified in writing of the proceedings for such revocation, modification, or suspension, the cause for the proposed action, and shall have been given 15 days to show cause why an order of revocation, modification, or suspension should not be issued.

The amendment was agreed to.

The next amendment was, on page 15, line 19, after the word "exclusive" to insert "except as to revocations and fines," so as to read:

(g) The jurisdiction of the Court of Appeals of the District of Columbia under this section to review any decision or order of the commission shall be exclusive except as to revocations and fines, and the judgment of said court shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari as provided in section 240 of Judicial Code, as amended (U. S. C., title 28, sec. 347), and that nothing in this section shall be construed to prevent the application of section 239 of the Judicial Code, as amended (relating to certification of questions of law) (U. S. C., title 28, sec. 346), to cases in the Court of Appeals of the District of Columbia arising under this section.

The amendment was agreed to.

The next amendment was, on page 16, after line 4, to insert:

(h) Any licensee may, at his option, in lieu of appealing to the Court of Appeals of the District of Columbia, appeal from any order of the commission revoking a station license or fining a station owner to the district court of the United States for the district in which the transmitting apparatus of the station license is operated. The provisions of subsections (b), (c), (e), and (f) shall apply to such appeals. Upon any such appeal the commission shall appear as respondent. The matter may be brought on to be heard by the court in the same manner as a motion, by either the attorney for the commission or the attorney for the licensee, at any time after the commission has filed with the court the record provided for by subsection (c). The findings of the commission as to the facts, if supported by evidence, shall be conclusive. The court shall hear and determine the appeal upon the record before it and shall have power to affirm or, if the order of the commission is not in accordance with law, to modify or reverse the order of the commission for error of law. After review of any order from which an appeal is taken under this subsection it shall be the duty of the commission to set aside or modify its order in so far as may be necessary to accord with any judgment of the district court that has become final.

The amendment was agreed to.

The next amendment was, on page 17, line 17, after the name "Guam," to strike out "Eastern" and insert "American," so as to make the section read:

SEC. 11. Section 30 of the radio act of 1927 (U. S. C., Supp. V, title 47, sec. 110) is amended by inserting in the first proviso thereof after the word "Alaska," the words "Guam, American Samoa."

The amendment was agreed to.

The next amendment was, on page 17, after line 21, to strike out:

SEC. 13. No person shall broadcast by means of any radio station for which a license is required by any law of the United States, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any information concerning any ticket, certificate, or instrument representing any chance, share, or interest in or dependent upon the event of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of prizes or information concerning any list of prizes awarded by means of any such scheme, and any person so doing, upon conviction thereof, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

And in lieu thereof to insert:

SEC. 13. No person shall broadcast by means of any radio station for which a license is required by any law of the United States, and no person, firm, or corporation operating any such station shall knowingly permit the broadcasting of, any advertisement of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes. Any person, firm, or corporation violating any provision of this section shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both.

The amendment was agreed to.

The next amendment was, at the top of page 19, to insert a new section, as follows:

SEC. 14 (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such station; and if any licensee shall permit any person to use a broadcasting station in support of or in opposition to any candidate for public office, or in the presentation of views on a public question to be voted upon at an election, or by a governmental agency, he shall afford equal opportunity to an equal number of other persons to use such station in support of an opposing candidate for such public office, or to reply to a person who has used such broadcasting station in support of or in opposition to a candidate, or for the presentation of opposite views on such public question.

(b) The commission shall make rules and regulations to carry this provision into effect. No such licensee shall exercise censorship over any material broadcast in accordance with the provisions of this section. No obligation is imposed upon any licensee to allow the use of his station by any candidate, or in support of or in opposition to any candidate, or for the presentation of views on any side of a public question.

(c) The rates charged for the use of any station for any of the purposes set forth in this section shall not exceed the regular rates charged for the use of said station to advertisers furnishing regular programs, and shall not be discriminatory as between persons using the station for such purposes.

The amendment was agreed to.

Mr. DILL. Mr. President, I did not know that the clerk had read past subsection (i) of page 17. That language was

not corrected as it should have been owing to the other changes in the earlier part of the bill, and I want to offer a substitute for Section I, lines 3 to 13.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In lieu of the amendment of the committee, on page 17, line 3, the Senator from Washington offers the following:

(1) The jurisdiction of the Court of Appeals of the District of Columbia and of district courts of the United States, under this section, to review any order of the commission revoking a station license or fining a station owner, and the jurisdiction of the Court of Appeals of the District of Columbia under this section to review any other order of the commission specified in subsection (a), shall be exclusive. An appeal filed by any licensee with any such court for the review of an order of the commission revoking or suspending a station license shall bar appeal by such licensee to any other court for the review of such order.

And in lieu thereof insert:

(1) The jurisdiction of the Court of Appeals of the District of Columbia and of district courts of the United States to review any order of the commission revoking a station license or fining a station owner shall be exclusive. An appeal filed by any licensee with either of said courts for the review of an order of the commission revoking a station license or fining a station owner shall bar appeal by such licensee to any other court for the review of such order.

Mr. KING. Mr. President, I have had no opportunity to examine the amendment which the Senator just tendered.

Mr. DILL. The language as it is written in the statute is not quite correct in light of the changes made about fining a station, and for that reason I had to correct it to make it fit into the amendment made previously. It was my mistake in reporting the bill.

Mr. KING. As I remember the amendment, it denies the right of appeal from certain courts.

Mr. DILL. No; it makes it exclusive with either the Court of Appeals of the District of Columbia or the district court in the district in which the station is located.

Mr. KING. But it does not attempt to deny the right of appeal to the Supreme Court of the United States if some Federal question is involved?

Mr. DILL. Oh, no; but if they appeal to the district court they can not then appeal to the Court of Appeals of the District of Columbia.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. GEORGE. I desire to offer an amendment on page 18, line 23, of the committee amendment, to strike out the semicolon and to insert a period and to strike out all after the semicolon down to and including the word "violation," in line 25. The amendment is offered solely for this purpose.

This section relates to the power of the commission over broadcasting companies and radio stations that have been guilty of violating the lottery or gift enterprise provision. A fine is imposed. The language which I seek to strike out is this:

But no radio-station license shall be suspended or revoked on account of any such violation.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (H. R. 14199) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes.

Mr. REED. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside so as to permit the final disposition of the pending bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GEORGE. Mr. President, I do not think Senators in charge of the bill will have serious objection to the proposed amendment because it is not likely that the commission would revoke a license for a single violation. As the Postmaster General is not authorized to revoke the mailing

privilege of a publication for a single violation, certainly he does not do so; but for repeated or continued violations, the license of a broadcasting station might well and properly be revoked. With this language in the provision the power to revoke even for flagrant violations would be denied. I, therefore, move to strike the language I have indicated, beginning in line 23 and running through to the end of that sentence.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 18, lines 23, 24, and 25, the Senator from Georgia proposes to strike out the following:

But no radio-station license shall be suspended or revoked on account of any such violation.

Mr. GLENN. Mr. President, it seems to me the amendment proposed by the Senator from Georgia is a sound amendment. It does seem to me that authority should be given in case of repeated and flagrant violations to revoke a license. I trust the amendment will be adopted.

Mr. DILL. Mr. President, this particular language was put in by the Committee on Interstate Commerce, but I think it not particularly important because the commission would have the authority to revoke a license if the words referred to were taken out. The reason for putting in that provision was that a newspaper which violates the law is not precluded from using the mails for future issues. I think there is no necessity for it. I have no objection to the amendment.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to, and without objection the amendment as amended is agreed to. The clerk will state the next amendment.

The next amendment was, at the top of page 19, to insert the following:

SEC. 14. (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such station; and if any licensee shall permit any person to use a broadcasting station in support of or in opposition to any candidate for public office, or in the presentation of views on a public question to be voted upon at an election, or by a governmental agency, he shall afford equal opportunity to an equal number of other persons to use such station in support of an opposing candidate for such public office, or to reply to a person who has used such broadcasting station in support of or in opposition to a candidate, or for the presentation of opposite views on such public question.

(b) The commission shall make rules and regulations to carry this provision into effect. No such licensee shall exercise censorship over any material broadcast in accordance with the provisions of this section. No obligation is imposed upon any licensee to allow the use of his station by any candidate, or in support of or in opposition to any candidate, or for the presentation of views on any side of a public question.

(c) The rates charged for the use of any station for any of the purposes set forth in this section shall not exceed the regular rates charged for the use of said station to advertisers furnishing regular programs, and shall not be discriminatory as between persons using the station for such purposes.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is open to amendment.

Mr. VANDENBERG. Mr. President, the Senator from Washington [Mr. DILL] is familiar with an amendment which was known as section 15 which was in one of the original prints of the bill, undertaking to straighten out some of our international difficulties across the border in respect to broadcasting. I have discussed the matter with him and I ask whether he would resist taking to conference the language which appeared in the original print if I offer it as an amendment.

Mr. DILL. Mr. President, I have no objection to the amendment. There may be other Senators who would have. It is an amendment in the bill which was reported previously, and then when it was taken back to the committee some of the members of the committee thought it was unnecessary in view of the fact that we would probably hold a North American conference and that these differences and troubles between our own country and other countries on

this continent could be settled by international agreement, and therefore this legislation would not be needed. However, so far as I am concerned I have no objection to taking the amendment to conference.

Mr. VANDENBERG. I offer the following amendment.

The PRESIDING OFFICER. The amendment will be reported for the information of the Senate.

The CHIEF CLERK. Add at the proper place a new section as follows:

SEC. 15. No person, firm, company, or corporation shall be permitted to locate or maintain a radio broadcast studio or other place or apparatus from which or whereby sound waves or mechanical reproductions thereof are converted into electrical energy and transmitted, or delivered, to a radio station in a foreign country for the purpose of being broadcast from a radio station there, and thereby transmitted back into the United States without first obtaining permission from the Federal Radio Commission upon proper application therefor.

Such application shall contain such information as the commission may by regulation prescribe, and the granting or refusal thereof shall be subject to the requirements of section 11 of the radio act of 1927 with respect to applications for renewal or modification of station license, and the license or permission so granted shall be revocable when the commission, after hearings, shall find its continuation no longer in the public interest.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LEWIS. Mr. President, I should like to ask the Senator from Washington, who has been so energetic in matters of radio legislation, and also the Senator from Michigan [Mr. VANDENBERG], if the feature of the bill which assumed to forbid lotteries and the provisions which accompany it in the forms of penalty have been changed from the condition in which they were when I had a conference with the Senator from Washington on the matter?

Mr. DILL. Mr. President, the Senator from Georgia [Mr. GEORGE] offered an amendment striking the two lines to which the Senator has reference.

Mr. LEWIS. Those to which I objected in bringing the matter to the attention of the Senator from Washington?

Mr. DILL. Yes.

Mr. LEWIS. That has been disposed of?

Mr. DILL. Yes.

Mr. LEWIS. That was satisfactory to the Senator from Washington?

Mr. DILL. Yes.

Mr. LEWIS. I thank the Senator.

Mr. FRAZIER. Mr. President, in behalf of the Senator from South Dakota [Mr. NORBECK], who is temporarily absent, I offer the following amendment.

The PRESIDING OFFICER. The Clerk will report the amendment for the information of the Senate.

The CHIEF CLERK. On page 9, after line 14, insert the following:

Section 9 of the radio act of 1927, as amended by the act of March 28, 1928 (Public Law No. 195, 70th Cong.), is hereby amended by adding at the end of section 9 the following: "Provided further, That the commission may grant applications for licenses for stations not exceeding 250 watts of power if the commission finds that such stations will serve the public convenience, interest, or necessity and that their operation will not interfere with the fair and efficient radio service of stations licensed under the quota provisions of this section, and said stations may be authorized without regard to the quota restrictions herein provided."

Mr. DILL. Mr. President, that amendment goes to a modification of what is known as the Davis amendment requiring equality of broadcasting facilities between the different zones and a division between the States. I am willing to take it to conference; but I do not want to agree to bring it back from the conference in the bill, because I do not know that it will be possible to do so. Mr. Davis, who was the author of the original amendment, will undoubtedly be chairman of the House conferees, and I am sure that if anybody will protect his own amendment it will be Mr. Davis. I, myself, have no objection to the amendment being accepted and taken to conference.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. WHITE. Mr. President, I move to strike out section 8 of the bill, appearing on page 10, relating to section 12 of the radio act of 1927.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 10, strike out lines 7 to 25, inclusive, and on page 11, lines 1 to 16 inclusive, as amended, as follows:

Sec. 8. Section 12 of the radio act of 1927 (U. S. C., Supp. V, title 47, sec. 92) is amended by striking out the whole of said section and inserting in lieu thereof the following:

"Sec. 12. The station license required hereby shall not be granted to, or after the granting thereof such license shall not be transferred in any manner, either voluntarily or involuntarily (or indirectly by transfer of control of any company, corporation, or association holding such license), to (a) any alien or the representative of any alien; (b) to any foreign government or the representative thereof; (c) to any company, corporation, or association organized under the laws of any foreign government; (d) to any company, corporation, or association of which more than one-fifth of the directors are aliens or of which more than one-fifth of the capital stock may be voted by aliens or their representatives, or by a foreign government or representative thereof, or by any company, corporation, or association organized under the laws of a foreign country: *Provided, however,* That nothing herein shall prevent the licensing of radio apparatus on board any vessel, aircraft, or other mobile station of the United States when the installation and use of such apparatus is required by act of Congress or any treaty to which the United States is a party.

"The station license required hereby, the frequencies or wave length or length authorized to be used by the licensee, and the rights therein granted shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any company, corporation, or association holding such license, to any person, firm, company, association, or corporation, unless the commission shall, after a hearing, decide that said transfer is in the public interest, and shall give its consent in writing."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

Mr. KING. Mr. President, will the Senator explain briefly his purpose?

Mr. WHITE. Mr. President, this is only one of a number of amendments which I should like to offer if time permitted. I do not want to set my judgment up against that of the Senator from Washington [Mr. DILL] or of that of the committee which unanimously reported this bill, and to prevent action by amendments and debate.

This particular section, in the form in which it changes present law, is aimed at a particular situation and a particular American corporation. It is directed against the International Telephone & Telegraph Co. of the United States. When the original law was drafted, serious thought was given to preventing the issuing of licenses to aliens. The law specifically provided that no license should be issued to, or after the issuing of a license, no license should be transferred to any alien or to any representative of an alien, to any corporation organized under the laws of a foreign country, or to any corporation that might be the representative of a foreign government, and so forth.

A great many people objected to these provisions, thinking that they violated the provisions of treaties which gave equality of right and equality of opportunity to the nationals of the contracting parties. Others doubted the wisdom of them, because they said they might seriously impair and interfere with the efforts of American companies to extend their facilities throughout the world and build up a worldwide communication system on behalf of the United States.

We went as far as I have indicated in preventing the issuance of licenses to aliens. We did not, however, deal with the question of the subsidiaries of a corporate parent company having some alien director or officer or some alien ownership.

Subsidiaries of the International Telephone & Telegraph Co. are licensees from the Federal Radio Commission. There is such a company on the Pacific coast which operates in international communication there and also maintains ship-to-shore service and, I think, does some point-to-point communication on the Pacific coast. There is another such company of Delaware which carries on like services on this

coast. They are licensees from the Federal Radio Commission, and they are 100 per cent American companies, both in stock ownership and in officer and director personnel. But above them there are holding companies, and eventually the control of those two licensees is in the International Telephone & Telegraph Co. That company has very important foreign interests. It operates communication services in various South American countries and in nations in other parts of the world. This proposed legislation is intended to force either the relinquishment of the licenses by the subsidiaries of this company or the ousting of all foreign officers and directors of the parent company. It would present to that company a most acute and embarrassing situation. That is the purpose that is aimed at, and it raises a substantial question of policy. My objection to the amendment—

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Kentucky?

Mr. WHITE. May I finish? Then I will yield. My objection to this proposed amendment to the law in the first place is that the language put in the bill, "or indirectly by transfer of control of any company, corporation, or association holding such license," which is not in the original law, does not, in fact, reach the situation at which the committee is aiming. It would apply, in my opinion, only to such a transfer of control corporate licensee hereafter and would not affect a situation where this parent control came about prior to the enactment of this legislation. That is one objection. I do not think it accomplishes, in a legal sense at all, what the committee seeks to do.

The next difficulty is in the incorporation of the language providing that one-fifth of the officers or directors—I am not sure precisely what the form of the amendment now is—opens up and enlarges existing law, because that would permit a licensee of the Federal Radio Commission to have such alien officers and alien directorate. That is not permitted under the present law. That is distinctly a backward step from the standard of what I will call Americanism, written in the 1927 law. It is because of those two infirmities that I think the whole section should be stricken out and that the entire matter should go to conference, because I have every confidence that from conference will come a provision giving the solution that we all want. I now yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, with the whole section stricken out, of course, it would mean that no Senate amendment would be incorporated in the House language; and inasmuch as the House language eliminates both officers and directors who are aliens, what field would the conferees have for adjusting any difference between the House and the Senate?

Mr. WHITE. The broad question of policy and the outstanding object at which we are aiming, I think, would be within the purview of the conferees, because there would be no Senate legislation upon the subject; and between those two extremities of the House provision and the absence of Senate action I think there would be ample opportunity to work out a compromise.

Mr. BARKLEY. Can the Senator inform me, inasmuch as he has brought in the International Telephone & Telegraph Co. as the holding company of a number of subsidiaries which have licenses, how many subsidiaries there would be operating under the old parent company?

Mr. WHITE. I would not want to speak with authority as to that, but I have spoken of two, and they are the principal ones. There may be one or two more, I am not certain; I would not presume to answer.

Mr. BARKLEY. Can the Senator tell the Senate how many alien directors there are on the board of the International Telephone & Telegraph Co.?

Mr. WHITE. Out of the 23, my recollection is that there were 4, and one of them has since died, so I think that 3 out of the 22 or 23 directors are aliens. I think that is right, but I have not checked this for some time.

Mr. BARKLEY. I do not want to take time from the Military Affairs Committee. I did not know the pending bill was coming up.

Mr. REED. I am going to have to call for the regular order very soon, Mr. President.

Mr. BARKLEY. I opposed the amendment of the Senate committee to the language of the House bill and reserved the right to oppose the amendment when the bill should be considered upon the floor, and I had intended to discuss it at some length. While I was called away in another committee which was attempting to frame a bill for consideration at an early date this measure was brought forward. I was absent at the time the Senate committee amendment was agreed to. I do not want to delay the military appropriation bill and I do not want to consume the time of the Senate unnecessarily on any score, but unless the conferees would have the widest authority in ironing out any difference between the House and the Senate on this proposition I would not feel disposed to vote upon the motion to strike the entire language out of the bill.

Mr. DILL. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. DILL. If the amendment of the Senator from Maine shall be adopted, the conference committee will have the most complete latitude. They can rewrite this entire section and I will say to the Senator that I feel certain the conferees will write a section that will be satisfactory to the Secretary of the Navy.

Mr. BARKLEY. I am basing my position largely on the attitude of the Secretary of the Navy, as disclosed in the letter which he wrote to the committee, which impressed me apparently more than it did the committee as a whole. I do not want to be in the attitude of trying to delay anybody or anything here but I want this section written so that it will be satisfactory to the Navy Department. I am not concerned about any other interest.

Mr. COUZENS. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. Yes.

Mr. COUZENS. I should be one of the conferees and I can assure the Senator that we will take full cognizance of the letter written by the Secretary of the Navy.

Mr. BARKLEY. The Senator, of course, had the Secretary's letter before him as a member of the committee; it did not seem to make much impression on him in the committee, and I wonder whether it would make any more impression on him as a conferee.

Mr. COUZENS. I confess to the fact that I do not now recall just what was in the letter from the Secretary of the Navy. The Senator knows.

Mr. BARKLEY. The Secretary of the Navy protested in the letter against the amendment that was inserted in the House language by the Senate committee, the House language eliminating all alien officers and directors, and the Senate committee amending it so as to limit the number of such alien officers and directors to one-fifth of the total. The Navy Department objected to any aliens being directors or officers of these companies and gave what seemed to me to be very cogent reasons for their position. I am wondering whether the Senator's mind is sufficiently open on the subject really to consider the Navy Department's attitude in view of the action of the committee.

Mr. COUZENS. I think the Senator from Washington [Mr. DILL] and myself, who have been watching this bill back and forth in the committee and in the Senate, are sufficiently open minded to give the matter due consideration.

Mr. BARKLEY. Well, Mr. President, I am not going to take further time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine. [Putting the question.] By the sound, the "noes" seem to have it.

Mr. WHITE. I ask for a division.

On a division, the amendment was agreed to.

Mr. DILL. Mr. President, I have one more amendment I should like to offer.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

The amendment to subparagraph (c) of section 5 of the radio act of February 23, 1927, approved May 19, 1932, is hereby repealed.

Mr. DILL. Mr. President, this amendment is designed to permit the Radio Commission to grant licenses to aviators who have radio sets on their planes. The bill that is being repealed was passed here without our realizing, I think, that it would prevent aviators from foreign countries who were in this country from having licenses to operate their radios. I should like to have this amendment providing for the repeal go to conference, and then we can hear from the Secretary of Commerce and obtain his opinion about it.

Mr. WHITE. Mr. President, I am not going to discuss the amendment, although I doubt its necessity or wisdom. I take this opportunity to say that there are many amendments that I should like to offer to this proposed legislation, and there are amendments which have been adopted of which I disapprove, but, as I previously said, I was not willing to defeat the bill by delays, so I am withholding amendments and withholding further comment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. DILL].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

TREASURY AND POST OFFICE APPROPRIATIONS

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13520) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ODDIE. Mr. President, I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and Mr. ODDIE, Mr. SMOOT, Mr. BINGHAM, Mr. DICKINSON, Mr. KEYES, Mr. MOSES, Mr. GLASS, Mr. McKELLAR, Mr. BRATTON, Mr. BYRNES, and Mr. THOMAS of Oklahoma were appointed conferees on the part of the Senate.

ARMY APPROPRIATIONS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 14199) making appropriations for the military and non-military activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes.

Mr. REED. I ask unanimous consent that the formal reading of the bill may be dispensed with, that it may be read for amendment, the committee amendments to be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. REED. I ask unanimous consent that when the consideration of the bill shall have been completed the clerk may be authorized to adjust the totals in accordance with the action of the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered. The clerk will state the first amendment reported by the committee.

The first amendment of the Committee on Appropriations was, under the subhead "Contingent Expenses, War Depart-

ment," on page 5, at the end of line 7, to strike out "\$125,000" and insert "\$148,000," so as to read:

For stationery; purchase of professional and scientific books, law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, matting, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; maintenance, repair, and operation of motor trucks and motor cycles; freight and express charges; street-car fares, not exceeding \$750; postage to Postal Union countries; and other absolutely necessary expenses, including not to exceed \$750 for traveling expenses, \$148,000.

THE LIBRARY OF CONGRESS

Mr. FESS. Mr. President, I shall speak on the amendment in order to be in order from a parliamentary standpoint, but I will discuss a different subject.

Mr. President, not far distant from the Capitol there stands a building which architecturally is one of the finest to be found anywhere in the world. It is occupied by the Library, and contains in many ways the most remarkable collection of books and other volumes housed anywhere under one roof. It is really the Library of Congress but is generally regarded as a national library in view of the fact that it serves more than the Members of Congress. However, it is specifically designated as the "Library of Congress," and I presume it will always so remain.

About 15 years ago, while a Member of the House of Representatives and serving on the Committee on the Library of that body, I took occasion to set out in detail the workings of that great institution. What was said on the floor of the House at that time provoked a great deal of interest which was displayed by the correspondence which ensued. Since that day the Library of Congress has experienced great growth and development; it really has increased by leaps and bounds. When I spoke about it 15 years ago it was the third largest library in the world, from the standpoint of the number of volumes it contained, whereas to-day, when measured by its collection of books and other material, it stands first of all the libraries of the earth.

I am constrained to believe that the workings of the Library are not generally appreciated. I know they are not by the public, and I think they are not fully appreciated even by those who are intimate with the Library—Members of Congress. In fact, what we see when we go over to the building which appears to be the Library is a small part of the Library proper. The most important feature of the Library is not open to the public. It is a veritable hive of industry in expert research; and I desire now to take a little time, really out of order, to point out what the Library has come to be in recent years.

I do not feel that I need apologize for speaking out of order, because yesterday we passed one appropriation bill; the day before we passed one; and doubtless we will pass another to-day, or come very near passing it. So we are really making progress; and I do not believe it will be a waste of time for me to set out what this famous institution has become, especially to the Members of Congress, and, in a certain way, to the people of the United States.

As chairman of the Committee on the Library of Congress, I am occasionally moved to some remarks upon it. I ask your indulgence for some now, for I have recently encountered several characterizations of it so extraordinary in their appreciation that they have caused me to consider whether all of us here quite realize its nature and service as viewed from without.

One such characterization is from a librarian, the head of one of our most efficient State libraries, who, in acknowledging a copy of the Librarian's Report, remarks that the Library of Congress "is one of the wonders of the modern world." Another is from an educator, Mr. Albert Jay Nock, who, in the preface of his *Life of Jefferson*, asserts that—

If 10 per cent of the patriotic pride now frittered away on silly and vicious objects were engaged upon our finest national possession, the Library of Congress, we should have a new civilization. What an incomparable instrument it is!

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The third is from a historian, Mr. James Truslow Adams, who, in the epilogue to his *Epic of America*, after reiterating his belief in an "American dream, which is being wrought out in many hearts and many institutions," adds:

Among the latter I often think that the one which best exemplifies the dream is the greatest library in this land of libraries, the Library of Congress. * * * [It] has come straight from the heart of democracy, as it has been taken to it, and I here use it as a symbol of what democracy can accomplish on its own behalf * * * a perfect working-out, in a concrete example, of the American dream.

Now, a librarian's special interest in the Library of Congress is in its service relations with the other libraries of this country. I mention the Librarian's interest because he is the officer of the Library, and his interest would be, in a way, more intense than the interest of a Congressman. The serious investigators, represented by Mr. Nock as an educator, and by Mr. Adams as a historian, are concerned with the Library not as a mere "dream" but as a very substantial reality. Their appreciation of it indicates, therefore, that they find in it material for their research, adequate apparatus as a guide to the use of the material, specialized accommodation, a welcoming hospitality, and an efficient and genial service.

They evidently do; and there is now also a tendency to center at the Library of Congress group projects involving serious research in books and manuscripts. There is even a disposition to commit to the Library the administration of funds for such projects; and a remarkable phenomenon of the past seven years has been the gift from the public of sums of money for them and for others less technical, which can not well be provided for out of the Public Treasury.

May I interpolate that it is not supposed that Congress could vote appropriations for all the things that we ought to have in the Library? But many public-spirited men and women who have money and would like to make good use of it, if the way were opened, would make the contribution to the Library itself for the benefit of the public.

We opened that opportunity through the creation of what we call now the Library Trust Fund Board. The gifts began with the remarkable one from Mrs. Frederic Coolidge of \$100,000 for the auditorium now erected in the Library Building, and of over \$500,000 as an endowment for the promotion of the understanding and appreciation of music and of musicology; but others have followed for various purposes. Our Library of Congress Trust Fund Board now holds nearly three-quarters of a million dollars, with an assurance of an equal sum in addition, the income of which is applicable to them; and from time to time, in this recent era, other sums have been placed at the disposal of the Librarian for immediate application.

Mr. President, the resolution creating the Library of Congress Trust Fund Board was introduced and carried in this Chamber after I became a Member of this body. To-day it has in possession or assurance gifts of nearly \$2,000,000 that have come from generous people who want to assist the Library in its public functions.

No such contribution serves to relieve any appropriation by the Government. On the contrary, it assumes that the Government will still do its full share; and the gift is made on the assumption that it will remit nothing of its interest and duty to provide for the suitable development of the collections, physical accommodation of them, adequate apparatus, and an efficient organization. What induces the gifts is such a belief and the desire to take advantage of the resulting establishment in order to extend its service in directions or particulars to which Government appropriations can not reach. Every such project is creditable in itself, in the interest of learning or culture, appropriate to the Library, and honorable to the Government.

A fine example is the famous Shakespeare temple across the way, which is not the possession of the Federal Government but has been created through the generous employment of a great fund of money to establish the greatest Shakespeare collection found anywhere in the world to-day.

It does not belong to us; it does not belong to the Library, but it is placed near by, and in close cooperation with the Library.

But the phenomenon itself! Gifts from the public—of money—to a governmental agency! Except for the Smithsonian, there is no parallel to it; and the gifts have not been casual or impulsive, for they are not merely from individuals, but also from some of the foundations, whose decisions are reached only after careful investigation.

That phenomenon, and the expressions which I have quoted, have caused me to reflect on whether we have a full appreciation of what the Library is, and also to inquire into certain particulars. Some of those disclosed, and the import of them, were not fully familiar to me, and they may not be to you.

We ourselves—97 per cent of the House, 100 per cent of the Senate—use the Library, and our families and staffs use it, in varying degrees, of course; some of us only for recreative literature, but others for most serious study and investigation; so that during a session the calls upon it from Congress average one every five minutes. A considerable number of us—during the present session over half of the Members of the House and 90 of the 96 Members of the Senate—have used actively its legislative-reference service, which in abstracts, digests, and other compilations furnishes data to be considered in legislation. Personally, I do not know what I would do if it were not for the generous service of the Library when I want information on a subject of legislation that we are considering.

Some of the most important committees—for instance, on Ways and Means and Foreign Relations—require of the Library studies so elaborate that the resulting compilation is printed. There are, of course, some Members and some committees who, not having occasion for such a service, have slight appreciation of it. Those who use it most, however, appreciate it best, and they would emphasize the economy in the small expenditure—only \$70,000 a year—for such a continuing agency, as against the outlay for a succession of agencies created for each particular occasion, and unfamiliar with the collections in the Library and the apparatus.

In addition to our own use, we assume, of course, that there is a considerable use by the various executive departments and scientific bureaus of the Government, whose workers draw upon the Library of Congress as a main reservoir.

I do not know whether my experience is the same as that of the average Senator or not; but when I have some friend whom I want to show Washington, the very first place to which I take him is the Library of Congress; and I prefer to take him in the evening, because I know of nothing more beautiful in all the world than that Library lighted up at 8 o'clock. The significance, however, of the Library in its more general relations comes to our attention only as some visitor to the building may express admiration for it as a monument of architecture, or some constituent may compliment us on the enlightened policy which has induced Congress to develop and maintain such an establishment, or some serious investigator may acknowledge to us the benefit it has been to him, or some commission from abroad may extol its organization and methods. We may recall that, although it has never asked from Congress a dollar for editing, it has produced publications, not merely scholarly expositions of its collections, but also—in the case of the Journals of the Continental Congress, the Records of the Virginia Company, and the Guides to the Law of certain foreign countries— notable contributions to knowledge.

We are conscious, of course, that there are huge collections developing over there, and have just been notified—in the Librarian's Annual Report—that in gross they now exceed those of any other library anywhere in the world; 4,500,000 printed books, a million maps, a million musical compositions, a half million prints, an inestimable number of manuscripts.

I do not want to be misunderstood. While we have a larger library than any other country in the world, it is not

the most important, it is not the most valuable, because such institutions as the British Museum and the Bibliothèque Nationale have manuscripts and books so rare that money could not buy them, and in that degree, of course, we fall far below those libraries. But in range of subject matter we are first in all the world.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER (Mr. SCHUYLER in the chair). Does the Senator from Ohio yield to the Senator from Idaho?

Mr. FESS. I yield.

Mr. BORAH. I wanted to ask the Senator under what authority the Library secures recent books, books which have been out but a short time. Is there any method by which anyone in the Library or any committee goes over the publications and selects recent books?

Mr. FESS. A copy of all American publications is deposited in the Library, of course, in accordance with the copyright law.

Mr. BORAH. I understand that.

Mr. FESS. And we appropriate \$100,000 a year for the general purchase of books. There are also exchanges, of course.

Mr. BORAH. What I have in mind is this: Is there any committee or any person authorized to look over lists of publications, of foreign books, for instance, and select such books as ought to be purchased?

Mr. FESS. Yes; there is a committee in the Library for that very purpose, and they are very remarkably alert. If the Senator wanted a certain book, by communication over the telephone with certain persons—Mr. Morrison is one and Mr. Milne is another—he would not only be able to find whether our Library has the book or not, but he would be able to find what other library in the country had it, if it had been catalogued.

Mr. President, we may even be aware of some particulars of the collection, and we were quite roused to a conviction of what its quality should be when we decided to buy for it the 3,000 fifteenth-century books constituting the Vollbehr collection.

Senators will appreciate that I am making a confession when I say that when these incunabula, the rarest collection we have ever acquired, about 3,000 volumes of fifteenth-century books, were offered our Library I was opposed to their purchase. I said that the Government could not afford to go into the practice of buying anything of a rare nature, that we would have to depend upon some generous capitalist purchasing the rare treasure and presenting it to the Government. I opposed it as the chairman of the Committee on the Library in the Senate, and the chairman of the Committee on the Library in the House opposed it. The Librarian of Congress thought we probably were going too far. Yet when that collection was presented here before the Senate and the House the only note against it was on the part of the persons I have mentioned. Both the Senate and the House overwhelmed us and demanded that we buy it, although it cost over a million dollars.

That indicates the public interest in our Library buying these rare things. For example, there was a Gutenberg Bible in the collection, and I have been told that that Bible alone may be worth \$1,000,000.

We may know that the manuscript collection, though not including any great group of medieval manuscripts, which are a distinction of the British Museum and the Bibliothèque Nationale, does include—what is most appropriate—the greatest amount of source material for American history under any one roof, and that one of the groups within it is an almost complete series of the papers of the Presidents, beginning with Washington and down through Roosevelt, Taft, Wilson, Harding, and Coolidge, and of numerous other statesmen; that, thanks to Mr. John D. Rockefeller, jr., there are available there several million facsimiles of documents from foreign archives essential to the study of our history; and that, thanks to Mr. Harkness, it possesses extraordinary groups of manuscripts relating to the Spanish occupation of

Mexico and Peru. And we may readily believe that no student of any period of our history can afford to ignore it.

We may know similar particulars as to some other of the special collections; for instance, that the collection of maps, originals and facsimiles, is now so embracing that it is the incessant recourse of geographers, historians, and litigants; and that frequently included among the litigants are the United States itself, various of our States, and some foreign countries; that the collection of prints, though in examples of the finer processes inferior to many elsewhere, is so extensive and so varied that it constitutes an invaluable resource for history, for illustration, and for the study of the arts, and is so convincing in these respects that it induced one of our foremost artists and critics—Mr. Joseph Pennell, of Philadelphia—not merely to present to it his own very important collections, but to bequeath to its service his entire and very substantial estate.

We may be aware that the collection of music—one of the three largest in the world—is known to every musicologist both here and abroad, is drawn upon by our serious investigators in music, by conductors of orchestras, by critics, by composers, and by musicians, and is to such an extent an interest of the profession that one group representing it—the Beethoven Association, of New York—regularly contributes to its enrichment.

We can readily believe that among the possessions unsurpassed by any other institution is the collection of official documents of the various States and foreign countries, of transactions and proceedings of learned societies, and of miscellaneous serials; though, unless we had been informed of the fortunate circumstances that explain them, we might be surprised to learn that the collection of Slavic literature in the Library is the most important outside of Russia, and that the 150,000 volumes of Chinese books constitute the most important such assemblage outside of China.

We must, however, realize that a few such preeminences do not assure a whole that is either organic or a perfect and final resource for any scholar; and that it will be only by assiduous application of considerable sums that the collections can be balanced and made organic. At present they are inferior not merely to some of the great libraries abroad in respect to the rarities of literature, but also to some of the libraries in the United States in particular fields of concern to the serious investigator. Except for the purchase of the Vollbehr collection, which was a special matter, the actual expenditure of the Government for the increase of the Library has been pitifully small. This year it is but \$125,000—less than is annually expended by some of our university libraries. Last year it was \$180,000, but was unfortunately reduced by the economy measures. Of the 185,000 items added last year, only one-fourth were due to purchase, the other three-fourths coming from gift, exchange, and copyright deposits—or rather a selection of the last named, for not everything copyrighted is brought up into the Library proper.

The fact that the bulk of the material now in the possession of the Library has come to the Government without cost is, to be sure, a claim for the adequate accommodation and treatment of it. But mere numbers do not establish the rank of a library; and complacency in them must not remit our attention to the systematic development which will require the assiduous application of sums much larger than we are now granting.

Mr. President, it is not necessary to call the attention of Senators to the fact, but I want especially to call the country's attention to what we have in the Library in the form of facilities for study, of which the public are not aware at all. I might say that one of the dreams I had before I ever came to the other House, 22 years ago, was that some day in Washington we would have a great center of research, thoroughly equipped in the way of laboratory and library facilities. I felt that we ought to have a national university, one of the things I had an ambition to see developed. I introduced a bill looking to that end and had hearings and developed a vast mass of facts, but there was some objection in both Houses. We never have been able

to get any final action, and years ago I gave the idea up, abandoned it altogether.

However, we have in Washington a center of investigation that is rapidly coming to equal anything in Europe. In years gone by whenever a man graduated in a great university and wanted to do research work or postgraduate work there was no place for him to carry it on in the United States. He always started for Germany, either for Berlin or some other point in that country, and we had to confess that we did not have the facilities here capable of supporting the desire and ambition of these people. It was that lack I wanted supplied here through this movement.

Mr. HATFIELD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. FESS. I yield to my friend.

Mr. HATFIELD. May I remind the Senator that the great chemical industry which has developed so rapidly was started in one of the great German universities, due to the fact that the lawmaking body of that land supported it financially?

Mr. FESS. That is true. Germany before the war had outlined a policy of industrial growth as a result of which upon every directorate of every great industry they had an officer from some German university, supported by the German Government, to assist the industry in developing along scientific lines. That is one of the fundamental principles of Germany that made her difficult for us to compete with in the open market.

The facilities I have mentioned are now over in the Library. Senators will find alcoves where there are separate tables. They will find little rooms where a student can go by himself away from all noise, not in any way distracted. His books are supplied to him and he can go back and forth day after day to pursue the investigation which he is conducting. Nobody sees those cases. Those are unseen forces that are working in this great national institution.

Also, imperfect as the collections are, they cover a vast range of subject matter for the investigator content with the substance rather than the form, and the facilities for approaching and using them absolutely surpass any afforded by any library anywhere. They include special physical accommodation free from the distractions of the reading room, but also direct personal access to the shelves, where the books are classified by subject, the aid of catalogues exceedingly competent so far as they go, and even the personal counsel of men of special learning in certain fields, experienced in research, and familiar with the collections and the apparatus, who are happy to assist any investigator in the use of them. This last feature is unique in any library. It is due, not to any Government appropriation, but to resources furnished from without in the endowment of the four "chairs" and the group of so-called "consultants," now being maintained, for a demonstration period, by a grant from the General Education Board. That group includes specialists in history, philosophy, economics, sociology, and some other subjects, whose service at the Library is not to do research but to aid in it. It recognizes that, in addition to the technical apparatus and the technicians, there is need of such expert personal mediation between that great mass of material and the public.

I am delighted to have the testimony of Senators that they appreciate what the Library has done. They have testified that they have received an enormous amount of assistance from the Library. I know that the public does not understand it and I fear that many of our best-informed persons connected with the Government are not fully aware of what we are carrying on in the Library under the "chairs" I have mentioned. For example, I had hoped that some day this would be done by the National University, except that the National University would deal with students only. The Library does not pretend to teach, but it does supply the research-worker student or mature investigator with the sources that otherwise he could not have.

The Library is, of course, freely open to the ordinary reader and to the thousands of students from the five uni-

versities at Washington; at times the reading rooms are crowded with them. But the aspect of those rooms gives little idea of the serious investigators who at the moment may be engaged elsewhere in the building, in the special divisions, in the bookstacks, at desks in secluded alcoves, or in the study rooms. There are 52 such study rooms, with a waiting list for them; there will be 150 more in the annex. The need of them becomes apparent from the list of visiting investigators of the past year. They represented every one of our 48 States, and 23 foreign countries; 131 American universities and 30 foreign. But it is not only the visiting investigator that the Library reaches. Through its system of interlibrary loans it will lend an unusual book to a serious investigator who can not come to Washington.

There is a service the public does not really recognize. If the University of California had an advanced student wishing to pursue a certain line of investigation and there is a rare book which the California university does not have, but it happens to be in the Library at Washington, that book can be sent to the library of the University of California for use by that student. That is another library service which this great institution is rendering.

There is a service at large of quite a different sort which may not be so familiar except to our appropriation committees, to whom it is annually explained. That is a service to other libraries as institutions. It is represented by the little card which I hold in my hand; an inconspicuous bit of pasteboard—only 3 inches by 5—but momentous in its relation to the efficiencies, and the economy of libraries. It is a catalogue card, of the size and form now standard in American libraries. It carries the author of the book, the title and imprint, and other bibliographic details, and the subjects to which it relates; and if prepared at the Library of Congress includes also the symbol of the book in the classification of it on the shelves. Recently it adds also the corresponding symbol in another system of classification (the decimal) more largely in use in American libraries.

Now the Library of Congress is preparing such cards for the books in its own collection and printing for its own need 100 copies of each. It prints 57 additional copies for the depository sets which it places in as many different institutions at centers of research, as ultimately a catalogue of the National Library. But it does not stop there. It permits any other library—or individual—to buy copies of the card at the cost of their production and the service of sale and distribution. A library having a copy of the identical book can, therefore, secure in these cards a complete "entry" for it—author and subject—and the proper classification—in brief, look to the Library of Congress to do the work of cataloguing and classification which, before this system, was the most expensive item in the preparation of a book for the reader.

Mr. President, I want the economists in this Chamber to listen to this statement:

There are now nearly 6,000 libraries taking advantage of the privilege. They pay from 2 to 4 cents per card, depending upon the form of the order. Even at those rates the receipts from sales are already about \$250,000 per annum, all of which is covered into the Treasury.

That is the item I want the economists here to recognize. They do not realize that the Library, without appropriation therefor, is printing these cards in its own printery, selling them to the 6,000 libraries over the country, and realizing \$250,000 annually that is remitted to the Treasury of the United States.

The cards sold are, of course, a mere by-product, for the Library of Congress would in any case have to prepare the original entry and print an edition for its own purposes; and the expense of producing the extra copies and of handling the orders is fully met by the charge made. But the benefit to the purchasing libraries far exceeds the sums paid. In direct saving it is certainly six times as much; that is, a million and a half dollars per annum when the sales amount to \$250,000. Incidentally, a million and a half dollars are nearly equal to the entire budget of the Library, if we deduct from its total the offsetting \$250,000 from these

sales and about \$300,000 from copyright fees also covered into the Treasury. In other words, Mr. President, the Library as it is operating now has two income-producing activities. One is the sale of these cards and the other the copyright fees, which amount to about \$300,000 a year.

But the system of sales is only in its infancy. The Library can at present supply only 70 per cent of the cards needed by the popular libraries and only 35 per cent of those needed by the larger research libraries. It has not yet all the books necessary, nor the cataloguers, nor the resources for printing and delivering the cards in season to be of use. Granting all these, it may become in fact a central cataloguing bureau for the entire country. The significance of that may be judged from the statement that if the Library did not exist, it would be worth while for the Government to create such a bureau for the sake of buying the books, cataloguing them, and producing these cards, even if the books were then thrown away; "worth while," I mean, as an appropriate Government function in the interest of the general welfare.

No wonder the librarians of the country look to our Library as a source of power, stand solidly in support of it, and are restive at mention of it as the Library of Congress and not, as they think it, the National Library of the United States. They are quite at liberty to think of it so even though we hold its ancient title.

But they are not the only outside interests which look to it or confide in its abilities. When a group of such interests—legislators, lawyers, economists, sociologists, and librarians—appealed to Congress to institute, maintain, and publish an index to the statutes of the various States, they expected that the Library of Congress would do the work. So when another group concerned with the welfare of the blind appealed to Congress for an appropriation of \$100,000 a year to provide more books in raised type for the use of the adult blind, it was the Library of Congress that was urged as the appropriate agency. These two activities are entirely outside of the scope of the Library's ordinary functions; and yet Congress, in authorizing the work to be done, designated the Library of Congress as the agency to perform it. It may be added that these two projects, now under way, though not requested by the Library but in effect imposed upon it, swell its budget by \$135,000 per annum. When a still further group, represented by the American Council of Learned Societies, determined upon a census of the medieval manuscripts now in the United States, it was the Library of Congress that was asked to administer the grant secured for the purpose from one of the foundations.

Years ago the Library initiated a Union Catalogue—on cards—which should include the titles and locations of all the books of a serious nature in other American libraries, foreseeing the value of such a catalogue to its own cataloguers, to any investigator here, and in its informational service to investigators and librarians who might make inquiry from a distance. After examining the beginnings of this service, Mr. Rockefeller's experts were so impressed with its potential value to research at large that they recommended to him a grant for its development. He made such a grant in a substantial sum, spread over a 5-year period. At the conclusion of the period last August—and I should like to have interested persons note this statement—the repertory included about 8,000,000 titles, with over 12,000,000 locations, of books in American libraries important in research work. What does that mean? It means that through the Union Catalogue, which is prepared by the Library of Congress, one can to-day find where any rare book in existence in America is located. That is a specific service that has never been undertaken in any such dimension by any other library anywhere. Its further development must be from the Government, and is now provided for by a small appropriation. It is an absolutely suitable object for such an expenditure.

There are, however, other activities entirely appropriate to the Library and calculated to extend and diversify its benefits, which, if undertaken, must depend upon contribution from private sources. There are vast gaps within its collections that can be filled only by the gift of material. We can

not ask Congress to make appropriations to supply these omissions; we shall have to depend upon public-spirited individuals to supply the funds. Unlike the universities of the country, the Library has not any body of alumni, with loyal enthusiasms and long purses, who, during the past decade, have so remarkably enriched the libraries of their *almae matres*. The benevolence of Congress toward it seems to be purely corporate; certainly I know of no Member of Congress who has ever made a gift of money to it, nor, except the late Representative Ackerman, any Member who has made a gift of important material. It is, therefore, only to the general public that it may look for such gifts—the connoisseurs, collectors, public-spirited individuals ambitious to do something for culture, and the foundations concerned in promoting research.

The interest of such groups is not spontaneous; it is not secured by professions or promises; it is not secured by mere argument. It must be aroused by some actual and inspiring fact. In the case of the Library of Congress that inspiration, so far as it exists, is represented by the great building over there which Congress determined upon 40 years ago as suitable to the destiny of the library that it proposed; by the additional provision that Congress has from time to time made for the accommodation of the comprehensive collections proper to a national library for the United States; by its decision to provide additional accommodations represented by the present extension and the proposed annex, and by the development which it has fostered of an organization embodying the highest competence in the treatment of the material and the highest and broadest professional standards in the service rendered. If at any time the policy of Congress should seem to change, or its interest weaken, or its standards for the Library be lowered, the inflow of gifts would abruptly cease; and what is more important, there would ensue a profound disappointment and disheartenment among the libraries of the country and the members of the learned professions that the Library which was in line to be their main resource was to fail in its mission; and likewise every patriot would suffer a feeling of disappointment that our Government could not, after all, be depended upon to maintain fitly and to develop amply an institution which is the Nation's unique contribution to culture. If such disillusionment should ever occur, there would be no further gifts made to the Library.

Whatever, therefore, the stress of the moment, we can not afford to impair the integrity of that institution or its efficiency as an instrument of Congress or as an agency for the public good. We must not cripple its activities; we must not halt its development.

To halt the normal development of any institution of learning is a serious matter; to halt the development of a library is an expensive one. Reduce the funds for purchase, and you postpone opportunities which may never recur, or recur only at greater cost later. Reduce the funds for the orderly treatment of the material, and you postpone work which must be done at a greater cost later. Restrict the funds for service, and you cripple the service at a time when both Congress and the public have most urgent need for it. For the "depression" has not lessened the demands upon our libraries; it has increased them. In the Library of Congress the calls for books alone have increased 30 per cent during the past year. The funds provided for the purchase of books have never been adequate and a reduction such as that of last year is disastrous. It not merely deprives the readers and research workers who depend upon the Library, but limits the benefit it confers upon other libraries through the production of catalogue cards. The orderly treatment of the material is far in arrears. The binding urgently necessary would alone require an appropriation of \$600,000. An unbound book in use means that to the cost of the binding will later be added the cost of repair. Publications important as contributions to knowledge or even as guides to the Library's collection have had to be suspended because of the inadequacy of the funds for printing. And every division of the Library proper is under-

manned, struggling with the accumulations that mount daily, even without additional purchases, and with demands from Congress and the public that can not be ignored.

The postponement last year, over the protest of the chairman of the Committee on the Library, of an appropriation to start construction of the annex was most unfortunate. When seven years ago the need became obvious, the Library had 3,000,000 printed books; it has now 4,500,000, with every other class of material increased in proportion. The congestion is now serious. In certain ranges books stand two and even three deep on the shelves. Tons of material have frequently to be shifted to make room in the subject classes for incoming accessions. Valuable material has to be stored in the cellar and in buildings on Second Street, where it is subject to damp or excessive heat and is for the time being inaccessible. Numerous employees have to carry on their work in portions of the bookstacks under artificial light and ventilation and separated from their coworkers and the apparatus upon which they depend. It is necessary to place the files of the Copyright Office in the public corridors, and in that and the other self-supporting division—the card division—the cramped conditions not merely impede the operations but increase their expense.

We are discouraging new projects of construction. But the annex to the Library is not a new project. The purchase of the site was authorized nearly five years ago, the construction of the building nearly three years ago. The authorization is complete. The site has been acquired, the plans for the building have been prepared, and in the extension of the main building, now nearing completion, accommodation is being provided for an electric plant which will serve the annex also. So far, therefore, from being a new project, the annex is one long pending and in a measure under way.

It is a project at Washington; but that does not mean that the benefit of the expenditure will be confined largely to the District of Columbia. In the minor case of the extension the contracts have involved 76 concerns in 28 different cities. The granite, for instance—some of it replacement, some newly quarried in Vermont—was sent to Minnesota to be cut or recut.

There seems every justification, therefore, even within our present policies as to public works, for proceeding at once with the annex itself. We are committed to it; it can not be avoided; costs are now low; and the expenditure will work benefits directly in line with the other efforts of the Government in behalf of industry.

All such matters are, of course, for the Committee on Appropriations, with whom rests the current welfare of the Library; but its general welfare is a concern of the Library Committee. I am not criticizing the committee, because with that committee rests the current welfare of the Library; but its general welfare is a concern of the Library Committee, of which I am chairman. As chairman of the latter I have a freedom and a duty to express my understanding of it, my hopes, and, if any, my apprehensions. I am especially impelled to do so when I consider the numerous tokens of the public appreciation of it, faith in it, and reliance upon Congress to enable it to fulfill its manifest destiny. I know of no greater contribution this Government has made to the public than the Library of Congress.

Mr. President, I ask to have printed in the *RECORD* at the end of my remarks a brief statement of the budget of the Library.

There being no objection, the statement was ordered to be printed in the *RECORD*, as follows:

Budget of the Library—The appropriations for 1932-33
(Current maintenance and increase)

The total, including the Copyright Office and sums disbursed by the Architect of the Capitol, approximately.....	\$2,233,000
Less deduction for furloughs, say.....	130,000
	<hr/> 2,103,000

Less offsetting receipts covered into the Treasury, if equal to those of 1932:

From sales of catalogue cards.....	\$244,000
From copyright fees.....	280,000
	<hr/> \$524,000
	1,579,000

Less 2 items of expenditure not chargeable to the operations of the Library proper, viz:

The index to State legislation.....	25,000
Books for the blind.....	90,000
	<hr/> 115,000

Net total..... 1,464,000

Which must cover all expenses of maintenance, including that of the building itself (in cubic area equal to the Capitol), equipment, repairs, the increase of the collections, and printing and binding.

Comparison with other libraries is impracticable, because there is no other identical in its nature or operations. The reference department of the New York Public Library (in the main building on Fifth Avenue) offers some analogies. Its budget for 1931 was \$1,622,382. (For the branches the city appropriated independently \$1,776,025.)

Harvard spends regularly \$70,000 for law books alone, and in a recent year spent \$400,000 on the increase of its general collection. Duke University is understood to spend about \$170,000 a year for the purpose.

Considered from another angle: The above \$1,464,000 (for the Library of Congress) is about the sum which several cities—Boston, Cleveland, Chicago—appropriate annually for their public-library systems.

Mr. JOHNSON. Mr. President, after the very excellent and the very timely address of the Senator from Ohio, it would be like painting the lily or gilding refined gold to endeavor to add to it. It is not as litterateur nor as philosopher, except as a world of hard knocks makes one, nor as economist, nor as research student, but simply as an ordinary official with varying, everyday problems, without resources, and without a sufficient force wholly in detail to enable the work to be done, that I add my mite of praise to what has been said by the Senator from Ohio of the work that has been so well and so efficiently performed by the Congressional Library.

I have found, Mr. President, as to the things which I sought to do—things that I could not do because perhaps of lack of ability in that direction; things that I could not accomplish because of a very limited office force—that I had but to apply in many instances to the Library of Congress, and there aid was forthcoming, and always willingly forthcoming, and always the information was efficiently furnished.

So I take this opportunity thus very briefly, Mr. President, to congratulate the Senator from Ohio upon what he has said, to congratulate the Library upon the work it is doing, and to express thus publicly my appreciation of what it has done for me in the problems that have been mine, and my thanks for its constant readiness to aid in the solution of those problems.

WILLIAM E. B. GRANT

Mr. TYDINGS. Mr. President, when the calendar was being considered this morning I was necessarily absent.

There is a bill on the calendar, House bill 9166, which I ask unanimous consent to be taken from the calendar and now considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senate proceeded to consider the bill (H. R. 9166) for the relief of William E. B. Grant, which had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 5, after the words "by the" to strike out "Secretary of the Navy" and insert "Secretary of War," so as to make the bill read:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to examine, on the basis of facts and figures to be found and reported to him by the Secretary of War, the claim of William E. B. Grant, warrant machinist, United States Navy, retired, for the amount withheld from him under section 4 of the act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone," approved August 24, 1912, as amended, from April 7, 1909, to May 3, 1917,

and from November 29, 1919, to February 28, 1922, the periods during which he was employed by the Isthmian Canal Commission or the Panama Canal.

Mr. TYDINGS. Mr. President, this is simply a bill to authorize an inquiry into the status of William E. B. Grant, owing to a conflict of law between an act passed regulating employees in the Canal Zone and the Regular Army act. It costs no money. It simply asks that the facts in the case be adduced and sent to the Senate.

Mr. KING. May I ask the Senator by whom the investigation is to be made?

Mr. TYDINGS. By the Secretary of War. The bill has the approval of the Navy Department, in which branch of the service Mr. Grant formerly was employed.

Mr. KING. I have no objection.

Mr. REED. Mr. President, if the Senator will pardon me, I think the investigation should be made by the Comptroller General after a report from the Secretary of War.

Mr. TYDINGS. The Secretary of War, however, is the officer who has custody of the records giving the facts and figures.

Mr. McNARY. Mr. President, what is the request of the Senator from Maryland?

Mr. TYDINGS. I asked that the bill to which I have referred be taken from the calendar and passed. I was absent when it was brought up this morning, and it was temporarily laid aside during my absence.

Mr. McNARY. I have just come into the Chamber, and I desire to know what the bill is.

The PRESIDING OFFICER. The clerk will read the bill for the information of the Senator.

The Chief Clerk again read the bill.

Mr. McNARY. Is there a favorable report upon the bill, and favorable action?

Mr. TYDINGS. The committee was unanimous, and the Navy Department recommended it.

Mr. McNARY. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1011 will be indefinitely postponed.

DEPARTMENT OF INTERIOR APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13710) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1934, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMOOT. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the conferees on the part of the Senate may be appointed by the Chair.

The motion was agreed to; and Mr. SMOOT, Mr. ODDIE, Mr. NYE, Mr. McKELLAR, and Mr. KENDRICK were appointed conferees on the part of the Senate.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13872) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1934, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McNARY. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and Mr. McNARY, Mr. KEYES, Mr. CAPPER, Mr. KENDRICK, and Mr. SMITH were appointed conferees on the part of the Senate.

WAR DEPARTMENT APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 14199) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1934, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

The PRESIDENT pro tempore. The clerk will read the bill.

The Chief Clerk proceeded to read the bill.

Mr. McNARY. Mr. President, a number of Senators are absent from the Chamber, and I promised to suggest the absence of a quorum when the Senate returned to the bill. I do so now.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dale	Keyes	Schuyler
Austin	Davis	King	Sheppard
Bailey	Dickinson	La Follette	Shipstead
Bankhead	Dill	Lewis	Shortridge
Barkley	Fess	Logan	Smith
Bingham	Fletcher	McGill	Smoot
Black	Frazier	McKellar	Steiwer
Blaine	George	McNary	Stephens
Borah	Glass	Metcalf	Swanson
Bratton	Glenn	Moses	Thomas, Idaho
Brookhart	Goldsborough	Neely	Thomas, Okla.
Bulky	Gore	Norbeck	Townsend
Bulow	Grammer	Norris	Trammell
Byrnes	Hale	Nye	Tydings
Capper	Harrison	Oddie	Vandenberg
Caraway	Hastings	Patterson	Wagner
Clark	Hatfield	Pittman	Walcott
Connally	Hayden	Reed	Walsh, Mass.
Coolidge	Hebert	Reynolds	Walsh, Mont.
Copeland	Hull	Robinson, Ark.	Watson
Costigan	Johnson	Robinson, Ind.	White
Couzens	Kean	Russell	
Cutting	Kendrick	Schall	

The PRESIDENT pro tempore. Ninety Senators have answered to their names. A quorum is present.

The first amendment of the committee was, on page 5, line 7, to strike out "\$125,000" and insert in lieu thereof "\$148,000," so as to read:

CONTINGENT EXPENSES, WAR DEPARTMENT

For stationery; purchase of professional and scientific books, law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, matting, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; maintenance, repair, and operation of motor trucks and motor cycles; freight and express charges; street-car fares, not exceeding \$750; postage to Postal Union countries; and other absolutely necessary expenses, including not to exceed \$750 for traveling expenses, \$148,000.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The next amendment was, under the subhead "General Staff Corps—Contingencies, Military Intelligence Division," on page 6, line 25, after the word "information," to strike out "\$19,990" and insert "\$39,990," so as to read:

For contingent expenses of the Military Intelligence Division, General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including \$5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$39,990, to be expended under the direction of the Secretary of War.

The amendment was agreed to.

The next amendment was, under the subhead "Army War College," on page 7, line 16, after the figures "\$63,927," to strike out the colon and the following proviso:

Provided, That no appropriation contained in this act shall be increased by transfer from another appropriation in consequence of section 317 of Part II of the legislative appropriation act, fiscal year 1933, as continued by section 4 of the Treasury and Post

Office Departments appropriation act, fiscal year 1934, for the purposes of making a larger amount available for or on account of personal services or for increasing a limitation on any appropriation.

The amendment was agreed to.

The next amendment was, under the subhead "Welfare of enlisted men," on page 8, line 23, before the word "balances" to insert "unobligated," and on page 9, line 2, after the word "and," to strike out "such fund, including interest accruals," and insert "the principal sum of such fund," so as to read:

For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries and travel of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, and travel (not to exceed \$825), \$68,778: *Provided*, That the Secretary of War shall deposit in the Treasury of the United States the unobligated balances on January 12, 1933, to the credit of the funds entitled "Other funds" and "Stars and Stripes," the money so deposited to be credited to a fund to be entitled "Recreation fund, Army," which shall draw interest at the rate of 3 per cent per annum, and the principal sum of such fund shall not be subject to withdrawal except in time of war, when it shall be available for expenditure by the Secretary of War for the recreation, amusement, comfort, contentment, and health of the enlisted personnel of the Military Establishment.

The amendment was agreed to.

The next amendment was, under the subhead "Finance Department—Pay, etc., of the Army," on page 9, line 22, after the word "duty," to strike out "\$2,143" and insert "\$3,810, and the appropriation for pay of the Army, fiscal year 1933, shall be available for the increased pay and allowances of one retired officer on active duty in addition to the two retired officers specified in the War Department act for that fiscal year," so as to read:

For pay of not to exceed an average of 12,000 commissioned officers, \$28,871,420; pay of officers, National Guard, \$100; pay of warrant officers, \$1,450,300; aviation increase to commissioned and warrant officers of the Army, not to exceed \$1,608,093; additional pay to officers for length of service, \$7,440,760; pay of enlisted men of the line and staff, not including the Philippine Scouts, \$51,247,821; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$588,279; pay of enlisted men of the Philippine Scouts, \$1,050,446; additional pay for length of service to enlisted men, \$3,667,172; pay of the officers on the retired list, \$8,563,492; increased pay to retired officers on active duty, \$3,810, and the appropriation for pay of the Army, fiscal year 1933, shall be available for the increased pay and allowances of one retired officer on active duty in addition to the two retired officers specified in the War Department act for that fiscal year, etc.

The amendment was agreed to.

The next amendment was, on page 10, line 20, after the words "in all," to strike out "\$128,450,827" and insert "\$128,452,494," and in line 24, after the word "discharges," to strike out "\$128,165,827" and insert "\$128,167,494," so as to read:

In all, \$128,452,494, less \$285,000 to be supplied by the Secretary of War for this purpose from funds received during the fiscal year 1934 from the purchase by enlisted men of the Army of their discharges, \$128,167,494; and the money herein appropriated for "Pay, and so forth, of the Army" shall be accounted for as one fund:

The amendment was agreed to.

The next amendment was, on page 12, after line 18, to strike out:

No part of this appropriation shall be used to pay any officer on the retired list whose income is in excess of \$3,000 per annum.

The amendment was agreed to.

The next amendment was, on page 13, line 7, after the word "reports," to strike out "\$2,671,465" and insert "\$2,921,465," so as to read:

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; stoves required for the use of the Army for heating offices, hospitals, barracks, and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and

when traveling, and repair and maintenance of such heating and cooking appliances; authorized issues of candles and matches; for post bakery and bake-oven equipment and apparatus; for ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, market reports, and so forth; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, \$2,921,465.

Mr. CONNALLY. Mr. President, the item on page 18 represents an increase of about \$250,000, and I think we ought to have some explanation as to why that is recommended.

Mr. REED. Mr. President, the House made a terrific cut under the Budget. It was shown to us by the Chief of Staff that it would be wholly impossible to provide the necessary forage for the animals of the Army under the figure the House had fixed, that it would be sheer cruelty to animals to try to do it.

Last year the appropriation for that item was \$3,904,926. The Budget this year cut that about \$400,000 and recommended \$3,471,529. The House cut that down \$800,000, to \$2,671,465. We want to cut it as far as is possible, but it would not be humane to cut the animals' ration further than it has been cut. For that reason the committee restored part of what the House cut out.

Mr. CONNALLY. Mr. President, the forage for the animals is cheaper now than it has ever been.

Mr. REED. That is the reason why we are able to recommend a sum a million dollars less than that of last year.

Mr. CONNALLY. Did the committee just take the request of the Chief of Staff and put the figures as he desired them?

Mr. REED. We considered the request when he made it, and it seemed to all of us to be entirely reasonable. The committee was unanimous in acquiescing.

Mr. CONNALLY. As a matter of fact, the Army is doing away with cavalry and mechanizing, so why should they need more forage now than they did last year?

Mr. REED. They do not. The appropriation is \$1,000,000 less than the same item last year.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 18, line 16, after the words "operation of," to strike out "existing laundries" and insert "laundries, existing or now under construction,"; in line 22, after the words "equipment of," to strike out "existing dry-cleaning plants" and insert "dry-cleaning plants, existing or now under construction,"; and on page 19, line 17, after the word "reasons," to strike out "\$5,194,045" and insert "\$5,694,045," so as to read:

Clothing and equipage: For cloth, woolsens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of dry-cleaning plants,

existing or now under construction, salvage and sorting store-houses, hat repairing shops, shoe repair shops, clothing repair shops, and garbage reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' materials, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessities; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed \$30, to be issued to each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, \$5,694,045, of which amount not exceeding \$60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1934.

Mr. CONNALLY. Mr. President, I want to ask the Senator from Pennsylvania why the clothing and equipage allowance was increased \$500,000 over the House figure.

Mr. REED. That is in a somewhat similar class with the forage item. Last year the appropriation was \$6,300,000.

Mr. CONNALLY. That is, for clothing?

Mr. REED. For clothing mostly. In fixing that figure at \$6,300,000 the committee last year expected that that would be supplemented by drawing from the reserve war stocks left over from the Great War. Those have now been exhausted, and the Budget Bureau thought they had made the utmost cut when they recommended for this year \$6,775,579, but the House cut under that nearly \$600,000. Of course, we could have the Army go barefooted, as Lee's troops did and as Sherman's troops did, but we do not want to do that. We do not think we have reached that point. The figure fixed by the Senate committee, which the Senator will see in the bill, \$5,694,045, will allow the issuance of not more than one uniform per enlisted man per year, and certainly that is the irreducible minimum.

Mr. CONNALLY. Mr. President, the Senator from Pennsylvania makes an eloquent appeal about the soldiers going barefooted. Nobody expects the soldiers to go barefooted, and there is no danger of the soldiers going barefooted.

I want to call the attention of the Senate and of the Senator from Pennsylvania to some information I have here from the War Department itself. The Senate committee has increased the figures over the House figures \$500,000 for clothing. These figures I have show that the War Department on the 30th of June, 1932, had on hand woolen breeches, E. M., service breeches, 1,535,514 pairs. That refers to woolen breeches.

It had on hand also coats, E. M., service, woolen, O. D.—that is olive drab, I suppose—1,521,882. They say they had an excess and surplus of 643,000 coats last June. Here is the whole list of supplies of the various kinds they have on hand.

Let us see about these poor barefooted soldiers about whom the Senator from Pennsylvania is talking, these "Valley Forge" soldiers. Let us see how many shoes they have on hand. I read from figures furnished by the War Department:

Shoes, E. M., garrison, 314,000 pairs—two pairs for every soldier in the Army now.

Shoes, E. M., service, 514,000 pairs.

Mr. REED. It ought to be twice that, Mr. President.

Mr. CONNALLY. If the Senator from Pennsylvania has his way, it will be.

Mr. REED. It certainly will be.

Mr. CONNALLY. How many enlisted men are there in the Army now?

Mr. REED. One hundred and eighteen thousand seven hundred and fifty now, but if war were declared, there would be over a million.

Mr. CONNALLY. Of course, if war were declared.

Mr. REED. That is what we keep this Army for, to be prepared for war.

Mr. CONNALLY. Is the Senator looking for war anywhere within the next six months?

Mr. REED. I do not think any of us were looking for war six months before we got into the last war.

Mr. CONNALLY. The Senator knows that it is absolutely foolish to stock up now, in time of peace, with enough shoes and enough clothes for war time, because by the time the war comes, the shoes and the clothes will be out of date and will be rotting on the shelves.

Mr. REED. We are not planning to stock up. We are only planning not to cut into our reserve stocks.

Mr. CONNALLY. I just want the Senate to know what it is asked to do. Of course, if it wants to squander the people's money, it may do so. The committees of Congress, particularly the Military and Naval Affairs Committees, have a habit of doing what the Secretary of War and the Chief of Staff, and the Secretary of the Navy and the Chief of Operations, tell them to do.

Let us see about these barefooted soldiers. They have now four pairs of shoes apiece. Let us see about socks, how they are supplied with socks. First I shall read the statement as to cotton socks. Of course, nobody would want them to wear cotton socks in the wintertime. But they have on hand 1,076,000 cotton socks.

Mr. REED. I think it is probably more than that. I think we have that many pair.

Mr. CONNALLY. I was speaking of pairs; if the Senator wants to be exact I can give him the exact figures. I thought the Senator was aware that socks go in pairs. [Laughter.]

Let us see about woolen socks. Socks, stocking type—the Senator will know what the "stocking type" means. I suppose they are the long-legged socks for these barefooted soldiers.

Socks, stocking type, woolen, heavy, E. M. socks: They have 609,000 pairs, and there are only 117,000 or 118,000 men in the Army. They have only about five pairs for each soldier already on hand.

Mr. REED. Mr. President, does the Senator from Texas consider five pairs of socks too many for an individual to own?

Mr. CONNALLY. The Senator's remarks are rather facetious. Let us see about some more socks.

Socks, stocking type, woolen, light: The others I read about were the heavy socks, these are the light socks. There are on hand 2,095,000 pairs for 117,000 soldiers. I am wondering whether the people who want to sell woolen goods and woolen socks are not receiving more consideration in the action of the committee in appropriating more money to buy more clothes and more socks and more shoes than is the Treasury of the United States.

We talk about economy, of the fact that we are going to cut down expenses, that we are going to economize. We are asked to appropriate \$500,000 more than the House allowed. The House bill carries over \$5,000,000 for new clothing. I do not know how many socks that would buy.

Mr. President, these items I have cited are samples of what the Army has on hand now of these supplies, and the Senator from Pennsylvania, in making the statement that it is necessary to stock up now in war supplies of clothing, assumes an attitude which can not be defended from the standpoint of the Treasury and the taxpayers.

Everybody knows that if war should come we would immediately give orders for these additional stocks. The Army discards every year large supplies of clothing because they say it is out of date, it is old, they do not want to dress the soldiers in it, and I think that the Senate ought to defeat this amendment and let the Army get along a little while longer on the stocks of goods and supplies it has on hand.

I understand that it is the purpose, in this appropriation bill, to authorize the purchase of millions of yards of additional woolen goods to be later manufactured into clothing.

I submit these remarks with the hope that the Senate will defeat this amendment. If we are to talk about economy all the time, and never do anything about it, we are not going to get anywhere in balancing the Budget or reducing expenditures; and if we are going simply to O. K. the requests of all the department heads, we shall never balance the

Budget, and we shall be putting a heavier load on the taxpayers every day.

Mr. REED. Mr. President, just a word in reply. In the first place, we are not O. K.ing the requests of the officials of the War Department, because, as I have shown, the estimate sent down by the Budget was more than \$1,000,000 greater than the amount the Senate committee allows.

In the next place, we are not, as the Senator says, stocking up with these supplies. On the contrary, we have drawn from the surplus stocks every year since the World War, and our stocks are less each year than they were the year before. It has been the policy to maintain barely enough to equip a million troops in case of outbreak of war.

We learned by sad experience in the last war what happened when we tried to outfit men who were suddenly called to the colors. I do not know of any case in the last war where our men were compelled literally to go barefoot; but I know that in my own regiment we taught equitation by putting the men on wooden barrels to teach them how to sit on a horse, and when our horses came we had neither bridles nor saddles. We taught the men to ride using rope halters which we made ourselves. They were compelled to ride bareback, and had at least one man killed, and I do not know how many hurt, in my own outfit, as a direct consequence of that absence of supplies.

We are trying as hard as we can to avoid that kind of mistake in the next emergency; and we are keeping, with much struggle, enough to clothe and equip an army of a million men in case war should break out.

The old-fashioned uniforms, made in war time out of shoddy—and they are poor enough things; the Senate would be ashamed to see our present-day Army dressed in these uniforms, which are kept back in the war-time emergency stock, but they will cover a man, and they are uniform clothing. That is what shows in these figures which have been read by the Senator from Texas.

Mr. CONNALLY. Mr. President, the Senator from Pennsylvania, I hope, does not mean to say that all of the clothing the Army now has is the shoddy of the war time?

Mr. REED. All of the war reserve is, and the balance is barely enough to meet the day-to-day requirements.

Mr. CONNALLY. But the Senator said the balance is enough to maintain an army of a million men.

Mr. REED. No. The war-time surplus is enough to clothe a million men. The balance for daily issue is just enough to meet our day-to-day needs. Let me say to the Senator that I am just as anxious as he is to cut the appropriation down. It is not fair to say that we are not trying to economize. The bill we have reported shows \$106,000,000 less than the same bill showed last year.

Mr. CONNALLY. But most of it is river and harbor work.

Mr. REED. There is \$26,000,000 of it which is savings in the military expenditures. We are spending \$26,000,000 less on military items in this bill than in last year's bill.

Mr. CONNALLY. I do not want to take a moment of the time of the Senate in useless discussion, but I submit that the Senator from Pennsylvania in his argument a moment ago created the impression on me—and if I am in error, I beg his pardon—that the plans of the War Department called for keeping on hand supplies sufficient to equip a million men because of a fear of war. If that be true—

Mr. REED rose.

Mr. CONNALLY. I yield to the Senator.

Mr. REED. The Senator is exactly right in the way he has stated it now. That is what we call the war reserve.

Mr. CONNALLY. I thought the Senator meant the old reserve clothing left over from the World War.

Mr. REED. That is what it is.

Mr. CONNALLY. Well, which is it? Is it reserve from the last war or for the next war? I want to be fair with the Senator.

Mr. REED. I must be stupid, because I thought I had made myself clear. What we are doing is saving supplies that we had left over from the last war with which to equip a million men who would be called upon for service in the next war.

Mr. CONNALLY. That material is of the kind that would be serviceable and suitable for the next war?

Mr. REED. No; but it will be enough to let us get along for a while, and that is all.

Mr. CONNALLY. My understanding is that the Army has been selling to the Red Cross and giving away for nothing for years the clothing which was not suitable for military use, and I commend it for doing so. The Senator in one instance said we are keeping the old war stuff from the World War that is not fit for the soldiers to wear, not suitable for their use, and in the next breath he said that we are saving it for use in the next war. The point I am trying to make is whether it is not true that the plans of the Chief of Staff and the War Department are to keep on hand all the time supplies sufficient for a million men. That is what I am protesting against. In this time, when we are all debt ridden and tax ridden and when the Treasury is "busted" to the tune of \$4,000,000,000, I can see no justification whatever for going into the Treasury and spending more money than we need to provision and equip and supply an Army of 1,000,000 men when we have only an Army of 117,000 or 118,000 men. I do not call that business. I do not call it economy. I do not call it military science.

Mr. KING. Mr. President, I have learned during my experience in the Senate that opposition to appropriations for military and naval purposes is barren of results. Upon numerous occasions during the past 10 or 15 years I have endeavored to secure reductions in various bills carrying appropriations for the War and Navy Departments. Other Senators who have attacked these appropriation bills have encountered stubborn opposition, and their efforts have usually been in vain. During the years referred to the attention of Congress has frequently been challenged to the mounting expenses of the Government, and when appeals were made for economies and for reductions in Federal expenditures, not infrequently statements were made that when the Army and Navy appropriations were before Congress for consideration material reductions would be made. Notwithstanding these prophesies of reductions, when military and naval bills made their appearance it was discovered that the promised economies were not apparent. The military budget of the United States is now and has been for a number of years entirely too large. We have heard much during the past few months about economies and a balanced Budget, but, unfortunately, the results thus far are most disappointing.

Owing to the great increase in Federal expenses during the past few years, many persons have reached the conclusion that Congress will not inaugurate governmental reforms or reduce Federal appropriations. That belief is in part responsible for the willingness upon the part of some and the demand upon the part of others that the authority be vested in the President of the United States to reorganize the departments and administrative machinery of the Government and make drastic cuts in governmental expenditures. A few months ago we frequently heard statements to the effect that the appropriations for the next fiscal year should be reduced between \$750,000,000 and \$1,000,000,000, and it was claimed by many that the military budget could be reduced \$200,000,000. While there have been some reductions in some of the appropriation bills thus far reported, it is now apparent that the net result will be most unsatisfactory and that Congress will adjourn without making provision to balance the Budget. Treasury reports indicate a very great reduction in revenue receipts, and we have no reason to believe that the revenues of the Government will be sufficient to meet the appropriations which will be carried in the bills passed before Congress adjourns.

Mr. President, in my opinion the appropriation bills thus far reported carry in the aggregate sums entirely too large. We are not living up to the promises made, and the result will be an enormous deficit for the next fiscal year. Many reductions could be made in the pending bill which, if brought about, would not prove disadvantageous to our country. In my opinion, many economies could be effected in the War Department. There is too much machinery in the War Department; there are too many unnecessary ex-

penses; there is too large a civilian personnel. I recall, two or three years ago, making inquiry as to the number of civilian employees in the War Department, as well as in the Navy Department, and my recollection is that in the two departments there were approximately 60,000 civilian employees.

Mr. President, in periods of depression such as this, the Federal Government should practice the most rigid economy and go to the very extremes in lightening the burdens which rest upon the people. It seems incredible that in the present situation the Federal expenditures should be approximately \$5,000,000,000. It is only a few years ago when the entire expenses of the Government were less than a billion dollars annually, but the appropriations which were made for this fiscal year for the Army and Navy are approximately \$700,000,000. We are now brought face to face with a situation which indicates that the military and naval expenses for the next fiscal year will approach the same stupendous figure.

I appreciate that the Senator from Pennsylvania [Mr. REED], chairman of the Military Affairs Committee, has endeavored to circumscribe some of the activities of the War Department and to bring within more reasonable limits the demands of the officials for Federal appropriations. Notwithstanding his efforts in that behalf, I respectfully insist that the bill before us carries a sum entirely too large and should be subjected to reductions of between twenty-five and fifty million dollars.

Mr. President, examination of the military expenses of the Government before as well as those since the war furnish convincing proof that our budgets for military and naval expenses have been entirely too large. In 1914 the total appropriation for the War Department was \$194,000,000, and the Navy Department received \$144,000,000. In 1915 the appropriation for the War Department was \$188,000,000 and for the Navy, \$150,000,000. In 1916 the War Department received \$189,000,000 and the Navy, \$153,000,000. In 1917—and in that year the United States entered the World War—the appropriation for the War Department was \$443,000,000 and the Navy Department received \$320,000,000. Of course, during the war and for several years immediately following the war it was imperative that very much larger appropriations be made. But in 1923, after demobilization of our Armies, the appropriation for the War Department was \$359,000,000 and the Navy, \$300,000,000.

In 1924 the appropriations for the Army and Navy amounted to \$680,000,000. In 1925 the Army appropriation bill carried \$341,000,000 and the Navy received \$278,000,000. In 1926 the appropriations for the Army were \$364,000,000 and for the Navy \$324,000,000. In 1927 and 1928 the appropriations were substantially the same for these departments. In 1929 for the War Department there was appropriated \$466,000,000 and for the Navy Department \$394,000,000. It is only proper to state that a part of the appropriations for the Army in each of the years referred to were to cover nonmilitary activities. In 1930 the War Department appropriations amounted to \$382,000,000, and substantially the same appropriations were made for 1931 and 1932.

Mr. McKELLAR. Mr. President—

The PRESIDENT pro tempore. Does the Senator yield to the Senator from Tennessee?

Mr. KING. Yes.

Mr. McKELLAR. The Senator recalls, of course, that under the economy provision and the Bratton amendment, so-called, 5 per cent will be taken off the entire amount.

Mr. KING. The Senator knows that the measure to which he refers has not yet passed the House, and its ultimate fate may be attended with some uncertainty.

Mr. McKELLAR. It unquestionably will be passed, in my judgment.

Mr. KING. Five per cent approximately of \$700,000,000, and that is the approximate amount which the War and Navy bills will carry for the next fiscal year, is only \$35,000,000. The Senator from Tennessee has been earnest in his efforts to reduce Federal expenses but I think he will admit

that even if \$35,000,000 shall be deducted from the War and Navy appropriations, the balance will be unnecessarily large and will constitute a considerable part of the aggregate appropriations of the Government for all purposes.

Mr. McKELLAR. This reduction of \$35,000,000 is much better than I expected out of this particular appropriation bill, and I feel delighted that we are to have even that much economy.

Mr. KING. However, the reduction of \$35,000,000 is from the appropriation bills of the Army and Navy and not the Army alone. The reduction from the Army appropriation bill by reason of the Bratton amendment will probably not exceed \$15,000,000.

Mr. McKELLAR. May I say that I think if the Senator had undergone what I have undergone for the last year in seeking these economies, he would look at it as I do, that this is quite a saving.

Mr. KING. I know the Senator has courageously battled against the mounting Federal expenses, and I have been glad to associate myself with him during the past 10 or 15 years in efforts to reduce Federal expenses and to restrain departments and bureaus from their aggressive activities which call for increased expenses.

Mr. McKELLAR. No; not in every instance. I agree with the Senator that he has made a wonderful fight, but the Senator will recall that last year the economies secured by the House and Senate amounted to \$334,000,000 more than the President had recommended in his Budget message. This saving of \$334,000,000 was quite a saving. This year our saving under the amount of the President's recommendation will probably be not less than \$200,000,000. These savings, while not as large as they ought to be, are certainly no mean savings. Five hundred and thirty-four million dollars is a tremendous sum and constitutes about one-fifth or one-sixth of the ordinary aggregate expense of our Government.

Mr. KING. I agree with the Senator that notwithstanding that Congress has not appropriated as much as has been recommended by the executive departments my recollection is that the appropriations made by Congress since the Budget law was enacted have been more than \$500,000,000 below the recommendations of the Chief Executives. But notwithstanding that Congress has appropriated less than recommended by the President there have been large deficits for the past two years and there will be a deficit of approximately \$2,000,000,000 for this fiscal year.

Mr. President, there are two forces operating in the country. A powerful force for economy and a very potent movement for increased expenditures. Obviously, if Congress yields to the latter demand a time may soon arrive when the credit of the Government may be impaired. There is an analogy between governments upon the one hand and corporations and individuals upon the other. Governments must balance their budget, governments must limit their appropriations to their revenues, failing which the day will arrive when their credit will be impaired.

I repeat that under no circumstances must a course be pursued that will affect in any way the credit of the Government. If the financial standing of the Government should be weakened, the effect upon the entire business and industrial structure of the country would be calamitous. The Government will soon be faced with the necessity of meeting maturing obligations aggregating billions of dollars. In addition it must be in a position to find markets for bonds which it will be compelled to issue to meet deficits for the current fiscal year and perhaps for the next fiscal year. The bonded indebtedness of the Federal Government has been increased to the extent of several billions of dollars during the past two or three years. Every possible effort should be made to reduce to the lowest possible point the expenditures of the Government. Even if that shall be done, it is obvious that additional revenues must be obtained in order that an equilibrium shall be established between income and expenditure.

Mr. President, pledges were made by both political parties that the Government expenses would be drastically cut in

order that the Federal Budget should be balanced. After examining the present bill I have reached the conclusion that it does not effect any important reductions in the military organization of the United States.

The nonmilitary activities of the War Department, it is true, have been substantially reduced; but as I read the bill before us, the appropriations for military purposes are within a million dollars of the appropriation for the present fiscal year. Comparing the appropriation for 1933 with the amount carried in this bill as reported to the House there is an apparent reduction of \$26,933,000 for the military activities of the War Department. The appropriations for 1933, however, included more than \$15,000,000 which was made available in the emergency relief and construction act which passed last year. The 1933 appropriations also included approximately \$10,000,000 which was not expended by reason of the economy act. My recollection is that the Senator from Pennsylvania [Mr. REED] in his colloquy with the Senator from Texas [Mr. CONNALLY] alluded to that reduction.

The Senate appropriations, moreover, have increased by \$1,598,482 the amount carried by the bill as it passed the House. Therefore, taking these several factors into consideration, the net result is that the appropriations for military activities in this bill as presented to the Senate are about \$800,000 over the actual appropriations for 1933, if my computations are correct.

During the debate in the House the opposition to further reducing military expenditures was based in large part on assertions attributed to General MacArthur, the Chief of Staff, and repeated many times, as I recall, in the debate on the floor. These assertions, briefly summarized, were as follows:

1. That the United States already has accomplished a degree of reduction in its land forces that stands as a unique example among world powers.
2. That practically all other nations are increasing their military strengths.
3. That the larger nations are increasing their outlays for military preparedness.
4. That the United States is now the seventeenth ranking nation in military strength in the world.

These statements, Mr. President, can be easily checked by reference to the official figures of the military strength and military expenditures published in the League of Nations Armaments Yearbook, which I have here upon my desk, and also by figures from authentic documents issued by the principal foreign governments. Inasmuch as armaments are to some extent relative, it is highly important to know whether foreign nations are, in fact, increasing their military strength and increasing their armament expenditures.

Mr. President, in determining what our military policy shall be and what military and naval expenditures shall be made, it is not absolutely essential that we shall adopt the military policy of other nations. The situation in the United States is different from that of other nations. We occupy a position geographically so different from other nations that it is conceded, I think, that our country is impregnable to attack from any other nation. Aside from the wealth of our country and its material resources, its physical position gives to it a strategic preeminence from a military and naval standpoint that is denied to any other country in the world. Great Britain and Japan are islands, not continents. They are dependent upon other lands for food supplies, raw materials, and commodities for the well-being and, indeed, the life of their people. They lack resources which the United States as well as some other countries possess. In their insular position it must be conceded by all that they lack advantages in many ways which are enjoyed by this country. Reasons which might constrain France and Germany and Great Britain and other European nations to adopt certain military and naval policies may not be invoked to justify the United States adopting similar policies.

I repeat that the United States is in no danger whatever from invasion by any nation on earth. Our position makes us invulnerable to attack. Moreover, the people of the United States are not belligerent; they desire peace and the

happiness and welfare of the people of all nations. They covet no territory; they have no imperialistic ambitions; they desire, I believe, to cooperate in every proper way with the nations of the earth in the promotion of international peace and good will. There may be loose and thoughtless talk at times about the inferior naval strength of the United States as compared with Great Britain, or its lack of naval strength compared with the resources of Japan; but in my opinion, Mr. President, there is no foundation for such views. It is unthinkable that there should be any contest between Great Britain and the United States. It has been said that the presence of Canada at our very door is a guaranty of continued peace between Great Britain and the United States. Some have said that Canada is a shield which, in effect, is a protection for both Governments, and others have indicated that in a sense it might be regarded as a hostage of and for both Governments. Mr. President, I have not infrequently said that the United States and Great Britain constitute a mighty force for world peace and for the development of democratic ideals and democratic institutions.

There is much in common between the United States and Mexico and the other peoples to the south of us. The Latin American countries have not forgotten that they derived inspiration from this Republic in the days of Monroe and that the doctrine then proclaimed by the United States was a shield and protection to them in the hour of their weakness. In my opinion, the United States and Latin America will be drawn closer together, and the ties between them will grow stronger as the years go by.

Mr. President, I have not been in sympathy with the rather chauvinistic attitude taken by some, and their demands for increased appropriations for military purposes. I repeat when I say that our country is in no danger from any power or any combination of nations. With the protection afforded by the Atlantic and Pacific, the fleets of any or all nations might strike in vain against our shores. Admiral Sims, one of our greatest naval experts, has stated that no nation could successfully land its troops upon our shores, and in effect declared that the United States was invulnerable against any possible combination of forces that attempted its invasion. He as well as other naval experts referred to the development of the submarine and the airplane, and pointed out that with these additional defensive forces it fortified his statement.

Mr. President, I return to the statement made by General MacArthur, to which I have referred. I refer to the statement "that the United States has already accomplished a degree of reduction that stands as a unique example among the world powers." I submit that this is not borne out by the official league figures submitted by it and by some of the principal military powers. In order to demonstrate that the United States has reduced its military strength, this officer assumes, if I understand his position, that the military forces of the United States are maintained at their authorized strength of 280,000 men. As a matter of fact, Congress has never maintained the authorized strength of the Army as provided in the national defense act since 1922.

Each of the great powers has likewise contended that it has brought about a military reduction in its armed strength. An examination of the military strength of the various nations, beginning with the year 1913, will, I believe, refute the statements of General MacArthur. In 1913 the Army of the United States consisted of 92,000 officers and men, and in 1930 and 1931 it was 139,000 officers and men.

In 1914 the regular British Army, not including British troops in India, consisted of 174,000 officers and men. In 1931, according to the official figures furnished by the British Government to the League of Nations, the British Army consisted of only 144,522 officers and men.

In the case of France the size of the peace-time French Army in 1913 was 790,000 officers and men. In 1930, according to the figures furnished to the League of Nations, the French Army consisted of 561,320 officers and men.

The Senator from Pennsylvania [Mr. REED] a few moments ago stated that our Army has been reduced until it

numbers now 118,000 men. I might add, by way of parenthesis, that we have an effective Marine Corps amounting to approximately 18,000 men. It is true that the marines are under the Navy, but they constitute an important part of our military strength, whether in offensive or defensive activities. I submit that the record does not confirm the view that the foreign powers have increased their armed forces in recent years. I shall, a moment later, refer to Japan and show that owing to recent military activities her present military forces have increased. The British Army has been steadily reduced since 1923 from 170,800 to 148,800. The French Army has also been reduced from 733,707 in 1925 to 522,737 in 1930. The latter figure represents the actual number of men provided for in the budget, but my information is that the figure is less than the number of men authorized under existing law.

I am also advised, Mr. President, that in a number of countries the budget strength does not truly register the actual number of men in the military forces, because in preparing the budget it is designed to provide for contingencies, and it is expected that fewer men will be in the military forces than the budget authorizes and makes provision for.

The Italian Army has remained approximately stationary since 1924 at 251,000 officers and men.

Presented in tabulated form, the figures of the armies of Great Britain, France, and Italy are as follows:

Postwar strength of principal armies¹

	1923	1924	1925	1926	1927	1928	1929	1930	1931
Great Britain (active army) officers and men	170,800	161,600	160,600	159,400	166,500	153,500	150,500	148,900	148,800
France (active army) officers and men			733,707	687,113	672,122	617,533	596,200	522,737	
Italy (active army) officers and men		251,125	250,965	231,513	231,418	250,470	251,170	251,170	

¹ Source: League of Nations Armaments Yearbook, special edition, 1932.

Mr. President, I again repeat that there is no foundation for the claim so often made by those who are urging large appropriations for the Army and Navy that other nations are increasing their armies. We are not infrequently inundated by propaganda to the effect that our Nation is in danger of attack, that it is impotent to defend our shores or to protect the American people. This spirit found expression some time ago in the attack made upon the President of the United States by the Navy League. President Hoover was charged with "abysmal ignorance" with respect to the condition of our Navy. President Hoover in his address before the International Chamber of Commerce in May, 1931, declared that—

Vast armament continues not only a burden upon the economic recuperation of the world but of even more consequence, the constant threats and fears which arise from it are a serious contribution to all forms of instability, whether social, political, or economic.

He also said:

* * * The destruction of life and property, the great tax burdens, and the social and political instability which resulted from the Great War have had large responsibility in the origins of the present depression * * *. Of all proposals for the economic rehabilitation of the world I know of none which compares in necessity or importance with the successful result of that conference.

The President was referring to the naval conference at which it was hoped a plan would be agreed upon that would materially limit the naval armaments of the world, and thus reduce the military burdens of the people.

I recall that General Pershing stated in substance that the lessons of the war should convince everybody of the danger of nations "striding up and down the earth armed to the teeth," and he said:

Isn't it, then, time for an awakening among enlightened peoples to the end that the leading powers may reach some rational agreement which would not only relieve the world of this terrible financial load but which in itself would be a long step toward the prevention of war?

I commend these statements to Senators. They are pertinent in this discussion to-day. The United States, because of its preeminence in the world, its great resources, its wealth, its physical and moral strength, should take the lead in bringing about relief from the burdens upon the world imposed by military armaments. Moreover in view of the rôle which it played in securing the adoption of the Kellogg-Briand pact it should assume a position of leadership in seeking to remove the causes of war and in effecting organizations and tribunals for the settlement of all international controversies by peaceful means rather than upon sanguinary battlefields.

Mr. President, Japan is practically the only important exception to the statement that the principal foreign powers have not increased their armed strength in recent years. Since the Manchurian controversy, which broke out in December, 1931, the number of men serving in the Japanese Army has been considerably increased.

Mr. President, upon a number of occasions since I have been in the Senate I have referred to Japan in complimentary terms. I have referred to the progress that she has made during the past 50 or 60 years. Her progress has been so extraordinary as to excite the commendation and praise of the people of the world. Her people have proven that they have great ability and capacity for extraordinary achievements in all of the fields of human endeavor. The relations existing between the United States and Japan have been most cordial, and our Government, particularly under the administration of President Roosevelt, manifested a friendly interest in the welfare of Japan and her people. Notwithstanding the very cordial relations between the Russian Government and the United States dating from the early days of this Republic, when the Russian-Japanese conflict was in progress, the people of the United States generally were sympathetic toward Japan and were not displeased when the issues of the conflict were favorable to Japan. President Roosevelt, as Senators will recall, played an important part in the peace negotiations between the two belligerents, and subsequently his course, as well as that of his successors, was such as to furnish convincing proof to the Japanese people that they had a friend in the United States. The belief was current among the American people that Japan was marching forward toward the heights of genuine democratic government. As one who has entertained a feeling of friendship toward Japan and who has desired that the spirit of good will and amity should exist between the two countries, I can not help but experience a feeling of regret over the developments in Manchuria.

Japan for a number of years has been one of the great powers in the world. Her statesmen have played important rôles in the councils of the nations, and her influence has been felt in determining world policies. Japan has reason to look with gratification upon the advancement which she has made, and the high place which she has occupied among the nations of the earth.

I am sure the people of the United States and of other nations would regret to see Japan pursue a policy that would affect the cordial relations that have existed between the Japanese Government and other nations. It is to be hoped that Japan will not forget the regard in which she has been held and the friendships which have been formed.

The horrors of the World War are still before us. The calamities which follow misunderstandings and conflicts should be warnings against the adoption of policies that may cause their repetition. The world is in the shadows; the summits of world peace are not far beyond, if the peoples will forget their pathetic ancestralisms and in a spirit of fellowship and cooperation march toward the summits which are bathed in the sunlight of a new day.

Mr. President, the official figures do not reveal that the principal foreign powers have increased their outlays for military preparedness during the last few years. On the contrary, the figures show that virtually all of the important foreign countries, with the exception of Japan, have actually decreased their military budgets, particularly since the world

depression. This statement must be qualified by the fact that, as compared with expenditures before the war, most of the European nations are spending more to-day upon their armaments—military, naval, and air—than they did in 1913.

As compared with 1913, however, the military expenditures of the United States have increased, relatively, more than those of any other power. The following table shows the percentage of increase in expenditures for land, naval, and air armaments for the principal powers since 1913:

	1913	1930	Percentage of increase (+) or decrease (—)
United States.....	\$244,600,000	\$727,700,000	+197
Japan.....	95,500,000	232,100,000	+142
Italy.....	179,100,000	258,900,000	+44
Great Britain.....	375,100,000	535,000,000	+42
France.....	348,700,000	455,300,000	+30
Russia.....	447,700,000	579,400,000	+30
Germany.....	463,300,000	170,400,000	-63

I pause, Mr. President, to make a brief reference to Russia. In recent conferences dealing with disarmament Mr. Litvinoff, the Russian representative, submitted proposals which appear to have been made in good faith and which, if accepted, would have been distinct contributions to a limitation in military armaments. In my opinion the governments then represented were too indifferent to his proposals and also failed to react to the demands of the masses of the people of the world for the adoption of policies looking to disarmament.

The British military budget has been reduced each year since 1927. The budget for the British Army for 1931 amounted to £39,930,000. In 1932 the figure was reduced to £36,488,000, a total net reduction of £2,832,000, or approximately \$16,500,000. The largest part of this reduction came in the category of effective services, or what we would call in our Budget "military" activities as distinct from "nonmilitary" activities.

In the case of France the budget for the year 1933 shows a reduction of approximately \$38,000,000 from the preceding year. The 1932 army budget was 9,393,000,000 francs, as compared with 8,398,000,000 francs for 1933.

Japan is the only great power which has actually increased its military budget during the past year.

The statement that the United States ranks seventeenth among the military nations of the world is based on an estimate of the trained man power available in countries which employ the conscript system. It includes not only the active army but also all of the trained reserves who are liable for military service under the laws of the different countries, regardless of the age or military fitness of men liable to military service.

Thus, according to the table submitted by General MacArthur, Russia is accredited with having an army of 18,817,000 men. Of course, such figures are absurd. When in Russia a few years ago, I conferred with the Soviet leaders and many of the military commanders, including Trotzky, who was at that time head of the red army, which was then 500,000 men. Since then there has been no material increase in Russia's military forces. The Armaments Yearbook, to which I have referred, states that the Russian active army is only 562,000 men. These various units are scattered from the Pacific Ocean to the Baltic Sea and from the White Sea to the Persian boundaries. It would be difficult to mobilize these scattered forces, and, with the limited transportation facilities of Russia, the obstacles to such mobilization are increased.

Theoretically compulsory military service in Russia begins at the age of 19 and lasts until the close of the fortieth year. Obviously men who have been out of active training for nearly 20 years are not available for immediate service in time of war. In the case of France and other countries with the conscript system, the duration of military service is fixed at 27 years, to include all male citizens between the ages of 20 and 47; and that is not an accurate measure of military strength. According to these tables, for example, Greece,

with 583,450 men "liable to military service," is stronger than Great Britain, with only 547,000 in its active and reserve forces.

It is questionable whether military strength can be compared merely in terms of man power, whether trained or not. In the case of the United States, our industrial and economic facilities, our financial power, our ability to transform from peace-time to war-time production, and our geographical isolation are far more important elements of strength than mere man power, and must logically be taken into account in determining our capacity for self-defense.

The present organization of our Army, moreover, which is based on the theory of the immediate mobilization of man power and industrial resources, raises the question of whether the national defense act is really designed for purposes of self-defense or whether it is intended to provide the man power which would be required in a war waged on the same scale and fought on the same principles as the World War.

The military organization provided in the national defense act apparently assumes that the United States will participate in another World War in Europe or Asia. It assumes that mass armies will be employed in the future as in the past, that offensive as well as defensive operations are required, and that mobilization of the man power of the Nation is still essential to the defense of the United States, regardless of our relative geographical isolation, as long as there is any possibility of being drawn into a general war. On the strength of this theory, the creation of a small but well-trained mobile force, equipped to meet a sudden emergency, has been sacrificed to the task of training a citizen reserve and building up a vast Officers' Reserve Corps, which is officially regarded as inadequate to meet the requirements of mobilization.

In many respects the military problem of the United States is similar to that of Australia, which could be adequately defended, according to some military experts, by a small mobile force equipped to repel invasion. In both cases, invasion would come from overseas, and in both cases defensive rather than offensive operations are the natural rôle of the Army—provided the primary object is to resist invasion. The primary object of the national defense act, however, is not confined to defense of American territory. The proposal of the American delegation at Geneva, nevertheless, and several official utterances of President Hoover seek to establish just such a limited objective. In his speech accepting renomination for President, Mr. Hoover declared:

I insist upon an Army and Navy of a strength which guarantees that no foreign soldier will land on American soil.

This, it is pointed out, is a clear declaration of the object of the armed forces, compatible with our international commitments and within the military means. An army organized solely to defend American soil would be in full accord with the antiwar pact; it would not require offensive preparations, and it would not be materially affected by the size or organization of foreign armies.

Mr. President, I regret that genuine reduction has not been made in the various appropriation bills which have been submitted, and particularly in the measure now before us. The Senator from Pennsylvania, I have no doubt, has resisted appeals from military sources in favor of larger appropriations. In what I have said I have not intended any criticism of my friend. However, I do believe that in view of the great depression existing and the want and privation found in every part of our land, and in view of our diminishing revenues and the imperative demands for appropriations for relief and to meet the unemployment and to aid in reviving business and lifting our country out of the shadows, we should have found in this and in a number of other bills opportunities for material and important reductions.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 19, line 17.

Mr. CONNALLY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Cutting	Keyes	Robinson, Ind.
Bailey	Dill	King	Russell
Bankhead	Fess	La Follette	Schuyler
Barkley	Fletcher	Lewis	Sheppard
Bingham	Frazier	McGill	Shipstead
Blaine	George	McKellar	Smith
Bulkeley	Glass	McNary	Steiwer
Bulow	Gore	Metcalf	Trammell
Byrnes	Grammer	Moses	Tydings
Capper	Hale	Neely	Vandenberg
Caraway	Harrison	Norris	Wagner
Clark	Hastings	Nye	Walsh, Mass.
Connally	Hatfield	Oddie	Walsh, Mont.
Coolidge	Hayden	Patterson	Watson
Copeland	Hebert	Reed	White
Costigan	Johnson	Reynolds	
Couzens	Kendrick	Robinson, Ark.	

The PRESIDING OFFICER. Sixty-six Senators having answered to their names, there is a quorum present. The clerk will state the amendment.

The CHIEF CLERK. The question is on the committee amendment on page 19, line 17, where the committee proposed to strike out "\$5,194,045" and to insert in lieu thereof "\$5,694,045."

Mr. CONNALLY. I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

On a division, the amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment of the committee was, on page 21, to strike out lines 10, 11, 12, and 13, as follows:

Provided further, That not to exceed \$2,522,880 shall be available for expenditures for or on account of the transportation of persons pursuant to the provisions of this appropriation.

Mr. CONNALLY. Mr. President, the amendment which has just been voted on will result in a cost to the taxpayers of \$500,000 which they need not justly bear. The pending bill increases the House figures about a million and a half dollars.

Economy will not get anywhere, in this bill or any other bill, so long as Senators absent themselves from the Chamber, do not hear the discussions, do not know anything about what they are voting on, and come rushing into the Chamber when there is a quorum call and vote with the committee. Of course, it is natural for them to vote with the committee.

Mr. President, we have been debating the economy bill here for the last week, and Senators with much heat have been voting to cut departmental salaries, and I voted with them; I think those salaries ought to be cut along with our own.

Now, when we have an opportunity by one vote to cut off \$500,000 for clothing in the Army, when it has been shown that the Army has a supply of clothing that will last it more than a year, perhaps more than two or three years, Senators come in and back up the committee and vote to add \$500,000 for an absolutely useless item.

This Congress is not going to economize. This Senate is not going to economize. Economy in the newspapers and noneconomy in the voting. We talk a lot about economy on the stump and in the newspapers, and when we have a chance to economize we strike a blow at the taxpayers, we raid the Treasury, and maintain a clothing supply for a million men when we have only 117,000 in the whole Army. We vote some more subsidies to the clothing manufacturers and woolen manufacturers so they can stock up the Army with supplies and the moths can eat them up before they will ever be used, so they will go out of style and the Army will not deign to wear them. But what does the Senate care about the taxpayers? I have made a fight on this amendment and tried to save half a million dollars. Apparently there is no use to try.

We asked for the yeas and nays and there were not 10 Senators in the Chamber who were willing to go on record.

If the proposal had been to cut off 1½ per cent from somebody's pay, Senators would have rushed out here and had a yea and nay vote, but when we try to cut off \$500,000 in one lump sum, Senators will not let us have a roll call. Not 10 Senators were willing to have a roll call. The Chair nods his head in verification. There were 49 Senators present and one-fifth would be 10, all that were necessary to grant the yeas and nays.

Mr. President, I move reconsideration of the item. I want to get the Senate on record once as to whether Senators are willing to have a gag rule here and not come out and vote on these items. I want the Record to show. I want the roll call to show who are here and who are refusing to give us the yeas and nays on this proposal to save the taxpayers \$500,000.

Mr. REED. Mr. President, the bill carries \$106,000,000 less than the Army bill of last year. The particular item which the Senator from Texas has been discussing carries \$1,000,000 less than the Budget estimate for the item this year. We have reduced the Budget on this single item over a million dollars. I think we have gone a long way toward saving the taxpayers' money.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Maryland?

Mr. REED. Certainly.

Mr. TYDINGS. May I ask the Senator from Pennsylvania, who is chairman of the Committee on Military Affairs and has the bill in charge, a question or two?

Mr. REED. Certainly.

Mr. TYDINGS. Is it true that we have sufficient clothing and shoes on hand now to last the Army another year?

Mr. REED. If we draw upon the reserve stock. We have a reserve, as the Senator knows, and have had ever since the World War, that will give the first needed equipment to an Army of a million men. We have tried to keep on hand enough clothing, saddles, ordnance supplies, rifles, and so forth, for that Army of 1,000,000 men. These uniforms are the old war-time uniforms. We are not making new uniforms and we are not adding to that reserve supply which comprises the old uniforms similar to those the Senator had in his regiment during the war.

Mr. TYDINGS. May I ask the Senator what proportion of the stock we now have in reserve the \$500,000 would buy?

Mr. REED. It will not buy any of that. By adding \$500,000 to this item we will be able to issue one uniform to each enlisted man in the course of the next fiscal year, and it seemed to the committee that that was the irreducible minimum.

Mr. TYDINGS. As I understand it, in the reserve supply now there are uniforms for 1,000,000 men?

Mr. REED. That is right.

Mr. TYDINGS. And shoes for a million men?

Mr. REED. That is right.

Mr. TYDINGS. So that the \$500,000 would buy, roughly, enough equipment to supply about 100,000 men.

Mr. REED. No; the \$500,000 added to the amount the House provided will be enough to meet our current needs for this year.

Mr. TYDINGS. I do not think I have made my question clear, and it is rather difficult for me to do so. What I am attempting to draw from the Senator is this: How much goods can be purchased with this money as compared with the goods now in reserve?

Mr. REED. That is difficult to say. The question of the goods now in reserve—

Mr. TYDINGS. I mean in numbers of suits and numbers of shoes.

Mr. REED. That again is difficult to say. The \$500,000 added to what the House gave will furnish only the current needs of the Army for the year.

Mr. TYDINGS. That is for 118,000 men?

Mr. REED. Yes; 118,000 men.

Mr. TYDINGS. This appropriation is equal to one-twelfth of the reserve?

Mr. REED. The total of this year's appropriation will enable us to buy about 10 per cent as much as we now have in reserve.

Mr. TYDINGS. That is what I wanted to know. If this item is cut off, how much of the 10 per cent will be lost that we can not purchase?

Mr. REED. The item as it came from the House was \$5,194,000. We added \$600,000 to that, which is about 12 per cent.

Mr. TYDINGS. Then as I understand it we have enough reserve of clothing and shoes to equip 1,000,000 men.

Mr. REED. That is right.

Mr. TYDINGS. Therefore if this appropriation is not made we will have to draw between 5 and 10 per cent of our reserve to take care of the current needs for this year?

Mr. REED. Yes; I should think so.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Kentucky?

Mr. REED. Certainly.

Mr. BARKLEY. As I understand it, at the end of the fiscal year for which the appropriation is made, instead of having enough clothing and shoes for 1,000,000 men, we would have enough in storage for about 900,000.

Mr. REED. Something like that, but there is this factor in it, and I think it is worthy of consideration. The uniforms that are kept in the reserve supply are the war-time uniforms made of shoddy, of a different design from that which is being worn at the present time by the enlisted men. They are all the old high-collar style. We would have to use them in case of war. The modern uniform is different. Consequently they would be most undesirable for issue at this time.

Mr. BARKLEY. I was wondering why that reserve of old uniforms has been kept now for about 13 years instead of having been worn off gradually by having it drawn on from year to year so we could keep up the reserve in current uniforms.

Mr. REED. We have drawn on the reserve to a very great extent. We came out of the World War with millions and millions of uniforms. Part of those have been issued to troops, part of them have been sold as surplus stores. The Senator will see traces of them on the streets of every city every day. The reserve for 1,000,000 men is what is left. It has been our policy for 15 years not to encroach upon it. We learned in the last war the unhappy consequences of trying to train an army without any equipment.

Mr. BARKLEY. How much longer will we be able to preserve these old uniforms?

Mr. REED. They are very well kept. They will keep a long time.

Mr. BARKLEY. Is there any disintegration that is now apparent in them?

Mr. REED. I do not think so. They are all new uniforms. They have not been worn.

Mr. BARKLEY. Where are they being kept?

Mr. REED. By the Quartermaster's Department, stored in quartermaster reserve depots scattered all over the country.

Mr. CONNALLY. Mr. President, I beg Senators' pardon for taking up any more time, but the colloquy between the Senator from Pennsylvania [Mr. REED] and the Senator from Maryland [Mr. TYDINGS] brought out something I am sure the Senate did not understand. The Senator from Pennsylvania answered the Senator from Maryland that if this item is not carried in the bill it will result in a 10 per cent reduction in the reserve supply. That is not accurate. That is not correct. As a matter of fact the bill as it passed the House carried \$5,194,000 for clothing to supplement the supplies now on hand for a million men. I am not objecting to the House figure of \$5,194,000, but I am objecting to the Senate committee's adding \$500,000 more. If we vote down the Senate committee amendment and adhere to the House figures we shall have clothing on hand for a million men and in addition we shall spend \$5,194,000 more. The amend-

ment I am opposing is the addition of \$500,000 to the House item.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Kentucky?

Mr. CONNALLY. I yield.

Mr. BARKLEY. How much do the uniforms cost?

Mr. CONNALLY. I do not know.

Mr. BARKLEY. Will the Senator permit me to ask the Senator from Pennsylvania?

Mr. CONNALLY. I yield for that purpose.

Mr. BARKLEY. Can the Senator from Pennsylvania tell me how much the uniforms cost?

Mr. REED. It is very difficult to say. I do not know. A good many of them are made by the Army itself. It buys the material and makes them up at its own quartermaster factory, or else it issues the material to contractors who make up the uniforms out of the Government material.

Mr. BARKLEY. If the Senator's reply is correct that \$500,000 would buy uniforms for 100,000 men, that would indicate about \$5 a suit, which, I think, is rather low.

Mr. REED. I did not mean to give that impression.

Mr. BARKLEY. That is the way I understood the Senator.

Mr. REED. Oh, no; I did not mean to give that impression. The \$5,600,000 will furnish enough clothing for a year for 118,000 men.

Mr. CONNALLY. How much is that per capita?

Mr. REED. It is not very difficult to divide it.

Mr. CONNALLY. The Senator from Colorado [Mr. COTTIGAN] does me the service of suggesting that it is something over \$50 apiece for an Army of 117,000 men. The amount in the bill as it passed the House provides for over \$5,000,000 in addition to the reserve supplies for 1,000,000 men. I suppose they must have three or four apiece, because—

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TYDINGS. In order to be fair, I think it is only proper to state that that includes underclothes and blankets, in fact, the soldier's total allowance for clothing, shoes, and all.

Mr. CONNALLY. I understand that. That only accentuates it. That simply means that in addition to uniforms they have enough socks, enough underclothes, and enough of everything else for a million men. That only aggravates the situation. There are enough shoes for a million men. We have all of these supplies on hand now, enough for a million men. The House appropriated \$5,194,000 in addition, to which I am not objecting; but the Senate Committee on Appropriations, with its extravagant ideas, adds \$500,000 more.

We have been cutting other appropriation bills 10 per cent. The Senate committee is adding 10 per cent to this item. I have no personal interest in this matter, but I think this is an item that is indefensible. I have selected it because I want to test the Senate. I want to know whether there is any use of standing here and fighting for economy. If not, if we can not get a test vote anywhere along the line, then we might as well admit to the country that a fight for economy is futile. Senators will vote as they please. I think they should vote to reconsider the item of \$500,000 and give us a roll call on it. If the Senate wants to approve the item, let it do so. I want Senators to know what they are doing. The Senate is about to squander \$500,000 in order that woolen manufacturers may sell some woolen goods to the Army when it does not need it.

Mr. TRAMMELL. Mr. President, if I have not miscalculated, the amount carried in the House bill provides over \$400 each for each soldier for this purpose. I understand there is \$5,194,000 carried in the House bill for this purpose. Dividing that by 120,000 soldiers, we have \$400 for each soldier for this purpose. The proposal is to add \$50 for each soldier. It seems to me it is the height of extravagance, and I heartily sympathize with the position of the Senator from Texas [Mr. CONNALLY].

I was present when the viva voce vote was taken and voted with the Senator from Texas. I hope that we will reconsider the matter and eliminate the item.

Mr. REED. Mr. President, I simply want to invite the attention of the Senator from Florida to the mathematics which he has just given the Senate. If we take the amount recommended by the Senate committee and divide it by 118,000, the result is \$49 per capita—not \$490 but \$49 per capita—and that includes uniforms, underclothing, shoes, blankets, and all that sort of thing, supplied by the Quartermaster General. That is the situation.

Mr. NORRIS. May I interrupt the Senator?

The PRESIDING OFFICER. The Senator from Illinois has the floor. Does he yield to the Senator from Nebraska?

Mr. LEWIS. I yield.

Mr. NORRIS. I want to make a suggestion to the Senator from Pennsylvania, who has delayed our work considerably now. This is an important amendment, so regarded by several Senators, particularly the Senator from Texas [Mr. CONNALLY]. If we could have had a roll call, it would have been disposed of long ago, but we are in danger now of having two roll calls instead of one; at least we are going to have one, and we could have one on the direct amendment just as easily as having a roll call on the motion to reconsider. Now I want to suggest to the Senator from Pennsylvania—

Mr. REED. If the Senator will permit me, I am not opposing a roll call. I am very confident the Senate will sustain the committee.

Mr. NORRIS. I understand that; probably the Senator is correct; but the Senator from Texas has asked that we have a roll call; he wants a record vote on the amendment. Why does not the Senator, in order to bring that about, consent to a reconsideration, with the understanding that we will immediately have a ye-a-and-nay vote on the amendment? Would that be agreeable?

Mr. REED. Yes; I am perfectly willing that that shall be done.

Mr. NORRIS. I ask unanimous consent to reconsider the action agreeing to the amendment, and that we then proceed to vote on the amendment itself by the yeas and nays.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Is there objection?

Mr. LEWIS. Mr. President, I am not sure of my parliamentary position. While a motion has been made for a reconsideration, may I offer some evidence as to the justification of the item itself? I should like to have the opinion of the chairman of the Committee on Military Affairs—and I am honored by being a member of that committee—as to whether or not the War Department and the Quartermaster General's office and other officials of our Government who have to do with this question involving this increase which the eminent Senator from Texas finds at variance with his judgment, have not recommended it as necessary?

Mr. REED. That is quite true. They recommended a million dollars more than we are giving them. The Appropriations Committee of the Senate in reporting this amendment recommend a cut of a million dollars under the Budget estimate.

Mr. LEWIS. That is the information I sought.

The PRESIDING OFFICER. Is there objection to the request for unanimous consent proposed by the Senator from Nebraska? The Chair hears none, and the vote whereby the amendment was reconsidered is agreed to. The Secretary will state the amendment for the information of the Senate, and will then call the roll.

The CHIEF CLERK. On page 19, line 17, the committee proposes to strike out "\$5,194,045" and insert "\$5,694,045."

The PRESIDING OFFICER. The question is on agreeing to the amendment, and on that question the clerk will call the roll.

The Chief Clerk called the roll.

Mr. WALSH of Montana. I wish to announce that my colleague [Mr. WHEELER] is absent to-day on account of illness. Were he present he would vote "nay."

Mr. KING (after having voted in the negative). I find that I have a pair with the junior Senator from New Jersey [Mr. BARBOUR]. I transfer that pair to the junior Senator from West Virginia [Mr. NEELY], and allow my vote to stand.

Mr. McKELLAR (after having voted in the negative). I inquire if the junior Senator from Delaware [Mr. TOWNSEND] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. McKELLAR. I have a pair with that Senator, which I transfer to the Senator from Nevada [Mr. PITTMAN], and allow my vote to stand.

Mr. BARKLEY (after having voted in the negative). I have a pair with the junior Senator from Iowa [Mr. DICKINSON], who is absent. Not knowing how he would vote I withdraw my vote.

Mr. ROBINSON of Indiana (after having voted in the affirmative) I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS], who has not voted. I transfer that pair to the junior Senator from California [Mr. SHORTRIDGE] and allow my vote to stand.

The PRESIDENT pro tempore (after having voted in the affirmative.) The occupant of the chair transfers his general pair with the Senator from Louisiana [Mr. BROUSSARD] to the Senator from Connecticut [Mr. WALCOTT] and lets his vote stand.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Wyoming [Mr. CAREY] with the Senator from Louisiana [Mr. LONG];

The Senator from Pennsylvania [Mr. DAVIS] with the Senator from Kentucky [Mr. LOGAN];

The Senator from Nebraska [Mr. HOWELL] with the Senator from New Mexico [Mr. BRATTON];

The Senator from Idaho [Mr. THOMAS] with the Senator from Montana [Mr. WHEELER];

The Senator from New Jersey [Mr. KEAN] with the Senator from Arizona [Mr. ASHURST];

The Senator from Maryland [Mr. GOLDSBOROUGH] with the Senator from Tennessee [Mr. HULL];

The Senator from Minnesota [Mr. SCHALL] with the Senator from Oklahoma [Mr. THOMAS]; and

The Senator from Vermont [Mr. DALE] with the Senator from Alabama [Mr. BLACK].

Mr. SHEPPARD. I wish to announce that the following Senators are detained from the Chamber on official business:

The Senator from Arizona [Mr. ASHURST]; the Senator from Alabama [Mr. BLACK]; the Senator from New Mexico [Mr. BRATTON]; the Senator from Tennessee [Mr. HULL]; the Senator from West Virginia [Mr. NEELY]; the Senator from Nevada [Mr. PITTMAN]; the Senator from Oklahoma [Mr. THOMAS]; and the Senator from Virginia [Mr. SWANSON].

The result was announced—yeas 38, nays 26, as follows:

YEAS—38

Austin	George	Lewis	Schuyler
Bailey	Grammer	McNary	Sheppard
Bingham	Hale	Metcalf	Smith
Caraway	Hastings	Moses	Steinwer
Coolidge	Hatfield	Oddie	Vandenberg
Copeland	Hayden	Patterson	Wagner
Couzens	Hebert	Reed	Watson
Cutting	Johnson	Reynolds	White
Fess	Kendrick	Robinson, Ind.	
Fletcher	Keyes	Russell	

NAYS—26

Bankhead	Connally	Kling	Shipstead
Blaine	Costigan	La Follette	Trammell
Bulkeley	Dill	McGill	Tydings
Bulow	Frazier	McKellar	Walsh, Mass.
Byrnes	Glass	Norris	Walsh, Mont.
Capper	Gore	Nye	
Clark	Harrison	Robinson, Ark.	

NOT VOTING—32

Ashurst	Carey	Kean	Smoot
Barbour	Dale	Logan	Stephens
Barkley	Davis	Long	Swanson
Black	Dickinson	Neely	Thomas, Idaho
Borah	Glenn	Norbeck	Thomas, Okla.
Bratton	Goldsborough	Pittman	Townsend
Brookhart	Howell	Schall	Walcott
Broussard	Hull	Shortridge	Wheeler

So the amendment of the committee was agreed to.

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The PRESIDENT pro tempore. The clerk will state the next amendment reported by the committee.

The next amendment was, on page 21, line 10, after the word "enlistment," to strike out the colon and the following additional proviso:

Provided further, That not to exceed \$2,522,880 shall be available for expenditure for or on account of the transportation of persons pursuant to the provisions of this appropriation.

The amendment was agreed to.

The next amendment was, on page 22, at the beginning of line 10, to increase the appropriation for Army transportation from \$11,106,745 to \$11,631,745.

The amendment was agreed to.

The next amendment was, on page 22, line 17, after the word "ambulances," to insert "and motor cycles"; in line 18, after the word "provided," to strike out "\$150,000" and insert "\$250,000," and in line 20, after the words "motor-propelled," to strike out "trucks: *Provided further*, That completely assembled and equipped motor-propelled trucks, including station-wagon types, may be purchased out of this appropriation, and other appropriations for the fiscal year 1934 under the Quartermaster Corps, which may be available for or on account of the maintenance of animals, or for or on account of the purchase, maintenance, and operation of animal-drawn equipment, or for or on account of rail transportation of persons and materials, the cost of any such vehicle so procured not to exceed \$750, including the value of any vehicle exchanged" and insert "trucks, including station-wagon types except those that are procured solely for experimental purposes," so as to make the proviso read:

Provided, That no part of this appropriation shall be available for the purchase or exchange of motor-propelled passenger-carrying vehicles other than not exceeding \$75,000 for the purchase or exchange of motor-propelled ambulances and motor cycles, and not exceeding (except as otherwise in this paragraph provided) \$250,000 of this appropriation shall be available for the purchase or exchange of motor-propelled trucks, including station-wagon types except those that are procured solely for experimental purposes.

The amendment was agreed to.

The next amendment was, on page 23, line 23, after the word "transfer," to strike out the colon and the following additional proviso:

Provided further, That no appropriation contained in this act shall be available for any expense incident to the operation of the Fort Benning Railroad.

Mr. GEORGE. Mr. President, before the vote is taken on that amendment I desire to make a statement. This amendment was inserted on the floor of the House:

Provided, That no appropriation contained in this act shall be available for any expense incident to the operation of the Fort Benning Railroad.

A controversy has arisen between the Central of Georgia Railroad, the former lessee of the Government-owned railroad running between Fort Benning Junction and Fort Benning, a distance of about 4½ miles. The Central of Georgia Railroad held a revocable license and has operated this line of road under this revocable license since the 15th day of June, 1924. In 1931 some complaint was made by the commanding officer at Fort Benning, and subsequently the Secretary of War or the Assistant Secretary of War took steps to revoke the license under which the Central of Georgia Railroad operated this road.

As a matter of fact, the Central of Georgia was given no notice of complaint, and as a matter of fact the letter transmitting the order revoking the license was written on September 2. The order itself bore date of September 16; but on the 9th of September, prior to the date of the order, the Assistant Secretary of War made another contract—a contract by which the firm of Page & Harris, or the Page-Harris Co., was given the privilege of operating this short line of railroad, Government owned, from the Fort Benning Junction into the reservation.

Those facts are beyond dispute. There is in the hearings a statement to the effect that after the Central of Georgia learned that its license had been revoked the matter was reconsidered and reheard, but the hearing was purely per-

functory, and I undertake to say that the War Department ought to be glad to open up this transaction because of the facts stated.

The Secretary of War claims that leasing this short line of railroad to an operating company—not a railroad company at all; it has no property; it is not a taxpayer—will save to the Government about \$17,000 a year on freights, mainly on coal, fuel, and so forth, carried into Fort Benning. It is questionable whether it will save such sum. Experience will demonstrate whether it will save anything. It can not save \$17,000 a year, and I undertake to say, as a matter of fact, that it will not save \$17,000 a year.

This matter is in controversy, so far as the leasing of the road is concerned, between the Central of Georgia Railway Co. and the operating company to which the lease was given without notice in the first instance to the Central of Georgia Railway Co.

The ground upon which the lease was revoked was that between two certain dates in 1931 the Central of Georgia Railway Co. had ceased to give double train service into the reservation; but I call the attention of the Senate to the fact that six months prior to the cancellation of the lease double service had been in fact restored, and therefore that could not have been the reason.

The Secretary of War ought to invite a close and careful scrutiny of this transaction, because the reasons assigned for the action are not borne out by the facts.

The order revoking was dated September 16, whereas on the 9th of September, prior to the 16th, a lease had been made with another concern without notice to the previous lessees; and the claim of economy will not in fact be borne out by actual experience.

So much for the facts on that point.

In the second place, the Central of Georgia Railway Co. is a railway company operating in the State, with its lines running throughout the State. It is now in the hands of a receiver. It is serving the Government at Fort Benning probably at a small profit; but I have definite information that it is serving the Government also at Fort Screven and Fort Oglethorpe at a loss. There is little sense in advancing money to railway companies, failed and failing, and then having the War Department cancel a contract with a railroad company and enter into one with an operating company in order to save, at the most, \$17,000 a year, or, as one of the officials from the War Department stated, net \$13,000 a year.

Mr. President, this controversy is between the Central of Georgia Railway Co. and the Page & Harris Co., a North Carolina concern. I am not going to take sides on the floor of the Senate in a controversy between two concerns that seek to control this small line of railway; but I am making this statement intentionally because the Fort Benning Railroad Co. has applied under sections 18 to 21, inclusive, of the interstate commerce act for a certificate of convenience and necessity. The Central of Georgia Railway Co. and perhaps others have intervened in that application, and are resisting the issuance of the order.

I submit to the Senate—and I think the Senator in charge of this bill will agree with me—that if the Interstate Commerce Commission denies to the Fort Benning Railway Co. the order or the certificate of convenience and necessity, then no part of the money appropriated in this act should be paid to this railway company. No part of it ought to be available to cover any expense or any item of indebtedness claimed to be due to the Fort Benning Railway Co.

This issue was debated at length on the floor of the House, and this amendment was inserted. The amendment is somewhat complicated, in that if it were taken in exactly the language in which it appears in the bill it is likely that the War Department would be embarrassed in carrying on the necessary operations which it itself has performed in shifting cars and making actual delivery of freight within the reservation.

The Senate committee has stricken out that amendment. The whole matter will be in conference; and I have spoken to the Senator in charge of the bill, and I have made this

statement, for the purpose of enabling the conference committee to give proper consideration to this matter. I believe that the conferees will be pleased, if they will go into it fully, to attach a provision at least that no part of this money shall be available for payment to the Fort Benning Railway Co. unless the Interstate Commerce Commission should issue its order under the application now pending.

Of course, if the Interstate Commerce Commission issues that order, the case may stand upon a somewhat different footing. I am not insisting upon the amendment as entered in the House, because I think that amendment, precisely as entered, would work some hardship upon the War Department, although there is some substantial reason why this matter should be kept open by some agreement in conference along the lines suggested by me.

Mr. LEWIS. Mr. President, the Illinois Central Railroad—a constituent of mine, and my colleague's—is the supervising agency controlling the Georgia Central, to which the Senator from Georgia has just alluded.

I beg to inform the Senate that while I have no personal knowledge of these details as recorded and expressed by the Senator from Georgia, I am in receipt of a written communication fully setting out the details—the communication coming from the general counsel of the Illinois Central, addressed to me—which bears out and sustains the representations made by the Senator from Georgia.

Further than that, sir, I have no desire to trespass upon the time of the Senate; but I do desire to have it understood that the Illinois Central sends this confirmation of the views as expressed by the Senator from Georgia.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. REED. Mr. President, just a word in reply to the Senator from Georgia.

I understand that the committee amendment has been agreed to. In that case the conferees will have full authority to put in a qualified prohibition, so that if the certificate of necessity is refused by the Interstate Commerce Commission we shall be able to take care of that case.

The PRESIDENT pro tempore. The clerk will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Horses, draft and pack animals," on page 24, after line 9, to strike out:

For encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance, \$118,827.

And in lieu thereof to insert:

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including \$120,000 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$202,500.

The amendment was agreed to.

The next amendment was, under the subhead "Signal Corps—Signal Service of the Army," on page 31, line 17, before the word "of," to strike out "\$2,381,870" and insert "\$2,421,517," so as to read:

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; not to exceed \$18,641 for mileage or other travel allowances of officers, and traveling expenses of employees, traveling on duty in connection with the Signal Service of the Army; motor cycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or sig-

naling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army; fire control and direction apparatus and material for field artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, \$2,421,517, of which amount not to exceed \$150,000 shall remain available until June 30, 1935, for the construction and rehabilitation of Signal Corps telephone systems.

The amendment was agreed to.

The next amendment was, under the subhead "Air Corps—Air Corps, Army," on page 34, line 9, after the word "aircraft," to strike out "\$23,324,185" and insert "\$23,329,185," so as to read:

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of officers of the Air Corps by air and rail in connection with the administration of this appropriation, not to exceed \$92,825, exclusive of the cost of transporting new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary, and not to exceed \$38,490 for payment of their traveling and other necessary expenses as authorized by existing law; transportation of materials in connection with consolidation of Air Corps activities; experimental investigation and purchase and development of new types of airplanes and balloons, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, application for letters patent, licenses under letters patent and applications for letters patent; for the purchase, manufacture, and construction of airplanes and balloons, including instruments and appliances of every sort and description necessary for the operation, construction (airplanes and balloons), or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding 50 days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and

equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft, \$23,329,185.

The amendment was agreed to.

The next amendment was, on page 34, line 20, after the word "employees," to insert "not exceeding \$5,000 may be expended for the production of lighter-than-air equipment," so as to make the proviso read:

Provided, That from the amount herein appropriated and the amount herein authorized for obligation not to exceed \$3,670,875 may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding \$17,000 may be expended for the procurement of helium from the Bureau of Mines, of which sum such amounts as may be required may be transferred in advance to that bureau; not exceeding \$3,035,429 may be expended for experimental and research work with airplanes or balloons and their equipment, including the pay of necessary civilian employees; not exceeding \$5,000 may be expended for the production of lighter-than-air equipment; not less than \$8,257,807 shall be expended for the production or purchase of new airplanes and their equipment and accessories, of which \$7,614,522 shall be available exclusively for combat airplanes, their equipment and accessories; not less than \$9,130,100 shall be expended, other than for pay of civilian employees, for aviation fuel and oil and for the repair and maintenance of airplanes and their equipment, spare parts, and accessories; and not more than \$6,000 may be expended for settlement of claims (not exceeding \$250 each) for damages to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Department, Army—Medical and hospital department," on page 38, line 6, to strike out "\$1,095,976" and insert "\$1,271,471," so as to read:

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the act of Congress approved May 11, 1908 (U. S. C., title 24, sec. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of the Army and Navy Hospital at Hot Springs, Ark.; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$1,271,471.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department—Ordnance service and supplies, Army," on page 40, line 15, after the word "of" to strike out "light trucks, at not to exceed \$750 each" and insert "trucks," and, in line 25, after the word "traveling" to strike out "expenses, not to exceed \$26,981" and insert "expenses," so as to read:

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents,

tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of trucks, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for necessary traveling expenses; for services of not more than four consulting engineers, as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 per day for not exceeding 50 days each, and for their necessary traveling expenses, \$9,366,116.

The amendment was agreed to.

The next amendment was, under the subhead "Seacoast defenses," on page 45, line 4, after the words "in all," to strike out "including not to exceed \$3,320 in the aggregate for traveling expenses," so as to read:

In all, \$2,035,431.

The amendment was agreed to.

The next amendment was, under the heading "Militia Bureau—National Guard—Arming, equipping, and training the National Guard," on page 48, line 18, after the name "United States," to strike out "for a disability rated by the Veterans' Administration in excess of 10 per cent," so as to read:

No part of the appropriations made in this act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States.

The amendment was agreed to.

The next amendment was, under the subhead "Arms, uniforms, equipment, etc., for field service, National Guard," on page 49, line 18, after the word "National," to strike out "Guard, at a cost of not to exceed \$750 per vehicle" and insert "Guard," so as to make the proviso read:

Provided, That funds now and herein made available to the Militia Bureau may be used for the purchase of motor-propelled trucks, including station wagon types, for field artillery use of the National Guard.

The amendment was agreed to.

The next amendment was, under the subhead "Citizens' military training—Reserve Officers' Training Corps," on page 57, line 10, after the word "Air," to strike out "Corps, Medical Corps, Dental Corps, or Veterinary" and insert "Corps," so as to make the further proviso read:

Provided further, That none of the funds appropriated in this act shall be available for any expense on account of any student in Air Corps units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units.

The amendment was agreed to.

The next amendment was, under the subhead "Citizens' military training camps," on page 60, after line 6, to insert:

Under the authorizations contained in this act no issues of reserve supplies or equipment shall be made where such issues would impair the reserves held by the War Department for two field armies or 1,000,000 men.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance equipment for rifle ranges for civilian instruction," on page 61, line 19, after the word "law," to strike out "\$150,000" and insert "\$125,000," so as to read:

For arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, in connection with the encouragement of rifle practice, in pursuance of the provisions of law, \$125,000.

The amendment was agreed to.

The next amendment was, on page 62, after line 9, to strike out:

None of the funds appropriated in this act shall be used for the purpose of paying any commissioned officer, active or retired, for his salary in computing which any service has been counted other

than active commissioned service under a Federal appointment and commissioned service in any of the military or naval forces of the United States, including the National Guard or the Organized Militia, while in the service of the Government of the United States.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Nonmilitary Activities of the War Department, Quartermaster Corps, Cemetery Expenses," on page 64, line 7, after the word "travel," to strike out "\$820,795" and insert "\$847,943," so as to read:

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, laborers and other employees, purchase of tools and materials; and for the repair, maintenance, and operation of motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and permanent American cemeteries abroad, including not to exceed \$2,250 in the aggregate or \$450 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (U. S. C., Supp. V, title 5, sec. 118a); for repair to roadways, but not to more than a single approach road to any national cemetery constructed under special act of Congress; for headstones for unmarked graves of soldiers, sailors, and marines under the acts approved March 3, 1873 (U. S. C., title 24, sec. 279), February 3, 1879 (U. S. C., title 24, sec. 280), March 9, 1906 (34 Stat., p. 56), March 14, 1914 (38 Stat., p. 768), and February 26, 1929 (U. S. C., Supp. V, title 24, sec. 280a), and civilians interred in post cemeteries; for recovery of bodies and the disposition of remains of military personnel and civilian employees of the Army under act approved March 9, 1928 (U. S. C., Supp. V, title 10, sec. 916); for the care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate section in Greenlawn Cemetery at Indianapolis, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island, and not to exceed \$17,625 for or on account of travel, \$847,943.

The amendment was agreed to.

The next amendment was, under the subhead "Corps of Engineers," on page 71, after line 8, to insert:

PRESERVATION AND REPAIR OF HISTORICAL FORTIFICATIONS

For the protection, preservation, repair, and maintenance of historical fortifications at San Juan, Puerto Rico, \$5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Rivers and Harbors," on page 72, line 13, after the figures "\$39,388,129" to strike out the colon and the following additional proviso:

Provided further, That hereafter the provisions of section 5 of the act of July 16, 1914 (U. S. C., title 5, sec. 78), shall be construed as applying to the Corps of Engineers as to the purchase of motor boats and motor-propelled passenger-carrying vehicles.

The amendment was agreed to.

The next amendment was, on page 72, after line 21, to insert:

Fort Pierce Harbor: For dredging the channel of Fort Pierce Harbor, Fla., \$30,000, or so much thereof as may be necessary, to be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "The Panama Canal," on page 76, line 23, after the name "Panama Railroad Co." to strike out "in excess of 10 per cent of the capital stock of such company"; so as to read:

For maintenance and operation of the Panama Canal: Salary of the governor, \$10,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the injury compensation act, approved September 7, 1916 (U. S. C., title 5, sec. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; for continuing the construction of the Madden Dam across the Chagres River at Alhajuela for the storage of water for use in the maintenance and operation of the Panama Canal, together with a hydro-electric plant, roadways, and such other work as in the judgment of the Governor of the Panama Canal may be necessary, to cost in the aggregate not to exceed \$15,500,000; in all, \$9,172,700, together with all moneys arising from the conduct of business operations authorized by the Panama Canal act, and such sums, aggregating not to exceed \$2,000,000, as may be deposited in the Treasury of the United States as dividends by the Panama Railroad Co.

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments.

Mr. COPELAND. Mr. President, I have an amendment to offer on page 56, line 12. This has to do with the Reserve Officers' Training Corps.

The Budget estimates for 1934 allowed \$3,912,009 for this activity, a decrease of \$167,475 under the amount appropriated for the current fiscal year. The House subcommittee reduced this by \$557,798.

It is necessary, if we are to carry on this work of the reserve officers' training, to increase the appropriation somewhat. I am not asking that it should go back to the point where it was last year, when it was \$4,079,484; but the Budget has estimated this at \$3,912,009, and from the best information I can get the amount should be increased by \$482,000. My amendment is that the figures on line 12, now reading "\$3,354,211," be made "\$3,840,211."

I ask to have inserted in the RECORD at this point a statement from the national president of the Reserve Officers' Association of the United States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The War Department appropriation bill (H. R. 14199), as passed by the House and reported by the Senate Appropriations Committee, meets the national-defense requirements of the country with but one exception. This exception relates to the Reserve Officers' Training Corps units.

The Budget estimates for 1934 allowed \$3,912,009 for this activity, a decrease of \$167,475 under the amount appropriated for the current (1933) fiscal year. The House subcommittee reduced the 1934 Budget estimates by \$557,798. These reductions were effected by decreasing the allowances for subsistence, clothing, purchase of ammunition, purchase of horses and forage, etc. The Reserve Officers' Association of the United States, realizing the necessity of economy, does not contest certain of these reductions. However, it is opposed to those reductions which affect the training and morale of the students of the Reserve Officers' Training Corps who, upon the completion of their course, will be commissioned as reserve officers and the future leaders of our civilian army.

Senator ROYAL S. COPELAND, of New York, will offer an amendment from the floor of the Senate to increase the amount carried in the bill by \$482,000. This amount will still be \$75,798 under the Budget (1934) estimates. This amendment will provide for the following projects:

Permit 42 days field training for the Reserve Officers' Training Corps instead of 30 days' training, \$112,000. The duration of field training has been reduced 29 per cent, whereas the monetary saving in camp expenses is but 10 per cent. In the course of his four years at college the Reserve Officers' Training Corps trainee attends but one summer camp. This is the only practical field training resembling war conditions the trainee receives. To qualify him as a reserve officer a period of six weeks of such training is indispensable.

Permit purchase of ammunition for target practice, \$70,000. This amount of ammunition was formerly a free issuance out of surplus. There being no longer an ammunition surplus, the effect will be a further curtailment in training in the use of the basic arm of the service, the rifle.

Permit of uniform and clothing allowances for cadets, \$300,000. By the elimination of this item from the bill the Reserve Officers' Training Corps students will be clothed in war-time shoddy uniforms left over from 1918.

The Reserve Officers' Training Corps is the principal source of procurement of reserve officers. It supplies the deficiency created by retirements of World War officers due to age, etc., from the Officers' Reserve Corps. It furnishes 6,000 commissioned officers annually and gives valuable training in military fundamentals to 121,000 additional students of our schools and colleges. It insures a reservoir of trained junior combat officers. The Reserve Officers' Training Corps graduate who is commissioned agrees to serve for five years in the Officers' Reserve Corps.

Under the present appropriations for training reserve officers the Reserve Officers' Training Corps graduate, after he is commissioned, will receive active-duty field training but once every four years. It is, therefore, highly important that he be trained while still in college.

L. KEMPER WILLIAMS,
Colonel, Infantry Reserve, National President.
BENNETT A. MOLTER,
Major, Air Reserve, National Secretary.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. REED. Mr. President, I do not feel impelled to make a point of order against this amendment, but I can not give the Senator any assurance that we will be able to hold it in conference.

Mr. COPELAND. I realize that fully, Mr. President.

The amendment was agreed to.

Mr. COPELAND. Mr. President, on page 12, I move to strike out lines 8 to 18, inclusive. There is no question but that when this language was first placed in the bill some years ago there was need of it, but the prohibition against the officers on the active list serving on these various service publications is a great embarrassment and a very improper thing, in my opinion. Of course, I am particularly interested in the magazine called the Military Surgeon, but the same thing applies to the other service magazines. I ask that that language go out, and that the conferees of the Senate discuss the matter with the House conferees and see if they can not agree on the permanent elimination of the language.

Mr. REED. Mr. President, the provision of the present law and of the bill as it comes to us from the House does work a great hardship on publications like the Military Surgeon, the Cavalry Journal, the Infantry Journal, and the Field Artillery Journal because the officers who publish those magazines have nothing to do with the purchase of supplies. There was a real reason, however, why the Engineer Journal should not be allowed to carry advertisements of contractors with the Government. If the Senator's amendment is adopted, we will try to work out something in conference that will bring about justice.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, which will be stated.

The CHIEF CLERK. The Senator from New York proposes, on page 12, to strike out lines 8 to 18, inclusive, as follows:

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the Government: *Provided, however,* That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

The amendment was agreed to.

Mr. COPELAND. Mr. President, I have one other amendment, which I send forward, to be inserted on page 45, line 13.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 45, line 13, the Senator from New York proposes to insert a new proviso, as follows:

Provided, That the duties of the librarian of the United States Military Academy may be performed by an officer of the Regular Army, retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SCHUYLER. Mr. President, I have an amendment to offer, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 26, line 13, the Senator from Colorado moves to strike out "\$1,203,700" and to insert in lieu thereof "\$1,068,700," and on said page 26, lines 21 to 23, strike out the words "Fitzsimons General Hospital, Colorado; gymnasium, recreation, and social hall, \$135,000."

Mr. SCHUYLER. Mr. President, this is a matter of very great interest to the people of Colorado, and especially to the people of Denver, affecting the Fitzsimons Hospital. Much as I dislike to detain the Senate at this hour, a prefatory statement is necessary before I reach the exact explanation of the amendment.

The Fitzsimons Hospital is the greatest hospital under the jurisdiction of the War Department. During the war it became obvious that on account of soldiers' being gassed and subjected to other hardships and exposures affecting their lungs a hospital should be provided for the treatment of the tubercular. Denver, as is well known, has an ideal climate for the treatment of that disease. The people of Denver

raised the money, by individual subscriptions, to buy the ground, some five or six hundred acres in extent, and presented it to the United States. The cost was \$165,000.

On the ground thus secured the Government, with progressive and generous recognition of the needs of this great work, has constructed 161 buildings following along the lines of the actually necessary equipment. But there is one building that has been long desired, and which is lacking, a building where those who are in the arrested stages of this dread disease of tuberculosis may go, not to enjoy a luxury, not solely for recreation, but, as the physicians say, as a necessary part of their treatment.

The people of Denver have taken this hospital to heart. Our ladies out there, as a part of their daily lives, go to the hospital, where there are now 1,118 patients, with delicacies, with literature, with other things that tend to lighten the awful tedium that attends the treatment of tuberculosis and those who suffer from that dread disease.

Mr. President, in that situation, and with this so deeply at heart, the people are appealing that the appropriation made last year of \$135,000 for the construction of what is termed a recreation hall, gymnasium, and social center may now be maintained. That was authorized last year as a part of a program of similar buildings to be placed at various Army barracks throughout the country. But in all the cases outside of this one those accommodations were to be provided for men who are strong and well, who, despite the weather, whatever it is, can have exercise and go forth into the open under all conditions.

But in the one case of the Fitzsimons Hospital, this building is required as a part of the treatment for the tubercular, to the end that those of these sufferers who are able to walk around, but who are confined in case of chilly, cold, or disagreeable weather to the small rooms which they occupy, may have a place where they may go, and as a part of their treatment have the advantage of some moderate exercises and receive the mental relief, so important in the treatment of tuberculosis, that follows from a slight change of scene. The physicians prescribe this as imperative, as much needed. The appropriation was authorized last year, but was classified with appropriations of a similar nature for buildings at other locations, where, as I have said, the men are healthy. In that classification the proposed construction at Fitzsimons Hospital has fallen under the ban of the necessary, prudent economy program, and is eliminated, mistakenly, I think, as being a luxury, not to be expected under present conditions.

Mr. President, if this partook of that nature, if these sufferers were able to go forth at any time, in any kind of weather, and take exercise or enjoy sports, I would be the first to urge that, in the interest of economy, a cut must be applied here as well as elsewhere. But that is a mistaken conception. The true purpose for which this appropriation has been made has been lost sight of.

Under this appropriation and its encouragement, plans have been drawn for this building, so much needed, at an expense of about \$1,200. Bids were to be let in February. I want to read a very concise statement made by Major General Patterson, in charge of the hospitals of the War Department. In his statement, made last month, he succinctly states the need of this building, as follows:

The need for a gymnasium at a large hospital should not be considered in the same way that such a building would be at an ordinary station. This gymnasium, recreation, and social hall is for a hospital. Everything at this station is there because it is a hospital. Such a building has been needed as a therapeutic measure for many years and should not be longer delayed. To-day there are 1,162 sick at this tuberculosis hospital, 547 of which are ambulant and semiambulant, but require gymnastic or graduated exercises. Without a gymnasium and this special equipment this work is limited to outdoor exercises on pleasant days and only during the warmer season. This building, therefore, while its proper title is as given, is required for the proper daily treatment of about 200 ambulatory sick and is necessary for therapeutic purposes as part of the whole hospital. Some \$1,200 has already been expended in drawing up the plans for the building, and the Quartermaster General's office expected to call for bids next month for this construction authorized by Congress in the relief bill of last year.

Mr. President, when this matter came before the House of Representatives it developed that the authority for the expenditure of \$135,000 for this hospital had been included in the program to which I have referred, for buildings similar to this one throughout various places in the country, and the House chose to deal with the appropriation as a lump sum of \$1,203,700, to be taken away from the purposes for which it had been voted and reappropriated for building barracks and other similar construction. The Fitzsimons Hospital appropriation, being in this group, suffered the fate of the others.

Upon remonstrances from Colorado Representatives in the House, the fact that it was associated in this kind of a general item with buildings regarded as luxuries is borne out by the colloquy between our Representative from Denver, Mr. EATON, and Mr. COLLINS, the chairman of the subcommittee of the Committee on Appropriations. Mr. EATON said:

It was not the intention to cut out places for hospital patients to be cared for in that line?

Mr. COLLINS. I am afraid the gentleman has had the appropriation badly earmarked. It is like old dog Tray; it has gotten in bad company. I sympathize with the gentleman.

Mr. President, I maintain that form should not prevail over substance; that the mere fact that this appropriation, so much needed, and which, after years, was obtained for therapeutic purposes, for the purpose of enabling these veterans to have some place where, in inclement weather, they could go and have some comfort, some relaxation, was included in a general program for buildings denominated as luxuries, should not now lead us into a misconception of the true purpose of this construction at Fitzsimons Hospital. Rather, I feel we should maintain the appropriation which was made last year.

Mr. President, that would be accomplished by the amendment in the form in which I have presented it. Its adoption will result in keeping in force that appropriation, a small part of which has already been obligated, and provide a building which is so much needed and which it has been anticipated would be started as a result of bids to be advertised for in February.

I am authorized by Representative EATON, of Denver, to say that in a conversation he had with Representative COLLINS, the chairman of the subcommittee of the Committee on Appropriations of the House, Mr. COLLINS expressed regret that the item was involved in a situation of this kind, which lent itself to a blanket disposal of the subject, and Mr. EATON received encouragement to believe that should we place it in position here where it may be carried to conference, the true nature of the item might well be there considered, at least the distinction would be carefully reweighed between expenditures for things of the character of luxuries in barracks and fields where men are healthy, and an expenditure like this, which is needed for the relief of the sufferers from this terrible disease.

Mr. President, those physicians who have obtained eminence in their profession and who are members of this body would testify, if it were necessary that any testimony should be given, to that which is well known, that the tubercular's progress toward health is very slow. Time moves upon leaden wings. It is a vital thing for their recovery to have change of scene, to have light exercises, to have some companionship at this time.

Mr. COSTIGAN. Mr. President, will my colleague yield? The PRESIDENT pro tempore. Does the junior Senator from Colorado yield to his colleague?

Mr. SCHUYLER. I am glad to yield.

Mr. COSTIGAN. I desire to ask my colleague whether the essential point in his able statement is not this: The item in the appropriation bill appears to have been condemned by the committee because it is wrongfully referred to as supplying recreational facilities, whereas the essential purpose is to provide a building in which patients afflicted with tuberculosis may have suitable opportunities and equipment furnished to assist them to accomplish complete recovery?

Mr. SCHUYLER. I thank my able colleague for his question. I know that his heart is in this measure as keenly as is my own and his question serves to emphasize the very keynote here. It is not recreation, not social communication, that is mainly involved in the item, but the very essence of it is, as certified by Major General Patterson in his letter, a therapeutic measure for the proper progress of these veterans toward recovery.

I earnestly hope that the distinguished Senator from Pennsylvania in charge of the bill will see his way clear—and that the Senate will see the way clear—to permit the subject to be taken to conference where this cloud that has been thrown upon the item for this hospital may be dissipated; at least, that the matter may be again weighed and that this much-needed relief may be brought to these patients suffering from the most dread disease in the world, and who, after many years, in the appropriation made last year, found this relief in sight.

It is an ably administered hospital. The hospital should be and is a pride of every American citizen who knows of it. It is capably administered, receiving the loving attention of thousands of our Colorado citizens; and we earnestly plead that the item may be maintained by the adoption of the amendment and carried through to conference and to final passage.

Mr. REED. Mr. President, the committee realizes this is a desirable building. It hopes to see it erected as soon as it may reasonably be done. The language of the bill does not affect any repeal of the authorization to construct the building. It simply takes away the appropriation for constructing it at this time. It does not cancel the project eventually to erect the recreation hall at the hospital in Denver, but it says in effect that we are not justified in doing it now.

The bill does not carry one penny for new construction at any Army post. The reason why it does not is that both the House and the Senate committees feel that when there are so many men without a roof over their heads, we are not justified in spending any of the public money for increasing our facilities at Army posts. For that reason I can not consent to the amendment offered by the junior Senator from Colorado, much as I would like to do so. If his amendment were to prevail, we would have to increase the appropriation of new money out of the Treasury to take care of current repairs of barracks and quarters. Already we have cut three-quarters of a million dollars below the Budget estimate, and it can not stand any further cut. If the amendment is adopted and takes this money from us, we will have to find new money in the Treasury.

The PRESIDENT pro tempore. The question is on the amendment proposed by the junior Senator from Colorado. The amendment was rejected.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. LEWIS. Mr. President, I invite attention to page 27. On that page is a reference to Chanute Field in the State of Illinois. I have had amendments tendered me covering the situation and I am asked to present them to the Senate. I defer to do so and for this reason: The authorizations for the expenditures referred to on page 27 still remain. The expenditures are merely suspended because of a lack of money in the Treasury. It is announced that as soon as money is available to undertake the improvements, they will again be reinstated. With this understanding with the War Department and having it borne out by the eminent chairman of the Committee on Military Affairs, I refrain from pressing the amendments at this time.

The PRESIDENT pro tempore. There being no further amendments, the question is, Shall the amendments be engrossed and the bill be read a third time?

Mr. REED. Mr. President, the Senator from Michigan [Mr. COUZENS] has an amendment pending and also a notice that he would move to suspend the rule. It will take two or three hours of debate to dispose of his amend-

ment. The Senator from Alabama [Mr. BLACK] also has an amendment which he wishes to propose, which can be disposed of very quickly. Neither of the Senators is here now and I have assured them that at this point I would ask for a recess.

I move that the Senate stand in recess until 12 o'clock noon to-morrow.

The motion was agreed to; and the Senate (at 6 o'clock and 8 minutes p. m.) took a recess until to-morrow, Saturday, February 11, 1933, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 10, 1933

COAST GUARD

The following-named lieutenants to be lieutenant commanders in the Coast Guard of the United States, to rank as such from the dates set opposite their names:

Carl H. Hilton, August 20, 1932.
Joseph S. Rosenthal, August 20, 1932.
Frank M. Neals, October 16, 1932.
John W. Kelliher, October 16, 1932.
Emette B. Smith, October 16, 1932.
Ben C. Wilcox, October 16, 1932.
Thomas Y. Awalt, October 16, 1932.
Alfred C. Richmond, October 16, 1932.
Walter R. Richards, October 16, 1932.
Roy L. Raney, October 17, 1932.
George B. Gelly, October 17, 1932.
Russell E. Wood, October 17, 1932.
Clarence H. Peterson, October 17, 1932.
James A. Hirshfield, October 17, 1932.
Joseph D. Conway, October 17, 1932.
Charles W. Lawson, October 17, 1932.
Frank T. Kenner, October 17, 1932.
George C. Carlstedt, October 17, 1932.
John Rountree, October 17, 1932.
William W. Kenner, October 17, 1932.
Stephen P. Swicegood, October 17, 1932.
Henry C. Perkins, October 24, 1932.
Paul W. Collins, October 24, 1932.
Charles W. Thomas, October 24, 1932.
Frank A. Leamy, October 24, 1932.
John H. Byrd, October 24, 1932.
Beckwith Jordan, October 24, 1932.
Charles Etzweiler, October 24, 1932.

The above-named officers have passed the examinations required for the promotions for which they are recommended.

POSTMASTERS

ALABAMA

John R. Fowler to be postmaster at Fayette, Ala., in place of J. R. Fowler. Incumbent's commission expires March 2, 1933.

Griffin G. Guest to be postmaster at Fort Payne, Ala., in place of G. G. Guest. Incumbent's commission expires March 2, 1933.

John F. Harmon to be postmaster at Troy, Ala., in place of J. F. Harmon. Incumbent's commission expires March 2, 1933.

ARKANSAS

Melvin E. Torrence to be postmaster at Atkins, Ark., in place of M. E. Torrence. Incumbent's commission expires March 2, 1933.

Sammie W. Kennedy to be postmaster at Cotton Plant, Ark., in place of S. W. Kennedy. Incumbent's commission expires March 2, 1933.

Lowry L. Jones to be postmaster at Kensett, Ark., in place of Bessie Bevill. Incumbent's commission expired April 23, 1932.

George D. Tubbs to be postmaster at State Sanatorium, Ark., in place of G. D. Tubbs. Incumbent's commission expires March 2, 1933.

John L. Hyde to be postmaster at Tillar, Ark., in place of J. L. Hyde. Incumbent's commission expires March 2, 1933.

CALIFORNIA

Walter W. Middleton to be postmaster at Costa Mesa, Calif., in place of W. W. Middleton. Incumbent's commission expires February 28, 1933.

IDAHO

Haly C. Kunter to be postmaster at Ririe, Idaho, in place of H. C. Kunter. Incumbent's commission expires February 28, 1933.

ILLINOIS

Lottie M. Jones to be postmaster at Antioch, Ill., in place of L. M. Jones. Incumbent's commission expires March 2, 1933.

IOWA

Frank S. Smith to be postmaster at Carson, Iowa, in place of F. S. Smith. Incumbent's commission expires February 28, 1933.

John R. Irwin to be postmaster at Keokuk, Iowa, in place of J. R. Irwin. Incumbent's commission expires February 28, 1933.

MARYLAND

Louis H. Wise to be postmaster at Mechanicsville, Md., in place of L. H. Wise. Incumbent's commission expired January 31, 1933.

Richard H. Williams to be postmaster at Midland, Md., in place of R. H. Williams. Incumbent's commission expires February 20, 1933.

MASSACHUSETTS

LeRoy H. Fuller to be postmaster at Allerton, Mass., in place of L. H. Fuller. Incumbent's commission expires March 2, 1933.

Richard B. Eisold to be postmaster at Ludlow, Mass., in place of R. B. Eisold. Incumbent's commission expires February 25, 1933.

MICHIGAN

John Y. Martin to be postmaster at Corunna, Mich., in place of J. Y. Martin. Incumbent's commission expires March 2, 1933.

MINNESOTA

George H. Hopkins to be postmaster at Battle Lake, Minn., in place of G. H. Hopkins. Incumbent's commission expires February 25, 1933.

Charles C. Gilley to be postmaster at Cold Spring, Minn., in place of C. C. Gilley. Incumbent's commission expires March 2, 1933.

Maurice E. Holden to be postmaster at Garvin, Minn., in place of M. E. Holden. Incumbent's commission expires March 2, 1933.

Anton M. Anderson to be postmaster at St. Peter, Minn., in place of A. M. Anderson. Incumbent's commission expires March 2, 1933.

John N. Irving to be postmaster at South St. Paul, Minn., in place of J. N. Irving. Incumbent's commission expires March 2, 1933.

Clara J. Nelson to be postmaster at Wendell, Minn., in place of Edwin Nelson, deceased.

MISSOURI

Homer E. West to be postmaster at Dexter, Mo., in place of H. E. West. Incumbent's commission expires March 2, 1933.

MONTANA

Bruce R. McNamer to be postmaster at Shelby, Mont., in place of B. R. McNamer. Incumbent's commission expires February 28, 1933.

NEW JERSEY

William G. Wallis to be postmaster at Florence, N. J., in place of W. G. Wallis. Incumbent's commission expires February 14, 1933.

Evan F. Benners to be postmaster at Moorestown, N. J., in place of E. F. Benners. Incumbent's commission expires February 12, 1933.

NORTH CAROLINA

Annie L. Lassiter to be postmaster at Jackson, N. C., in place of A. L. Lassiter. Incumbent's commission expires March 2, 1933.

OKLAHOMA

Joe Nash to be postmaster at Fairfax, Okla., in place of R. R. Dodd, removed.

Henry C. Griswold to be postmaster at Wetumka, Okla., in place of H. C. Griswold. Incumbent's commission expires February 28, 1933.

PENNSYLVANIA

Daniel F. Pomeroy to be postmaster at Troy, Pa., in place of D. F. Pomeroy. Incumbent's commission expires February 25, 1933.

SOUTH DAKOTA

John A. Nannestad to be postmaster at Brandt, S. Dak., in place of J. A. Nannestad. Incumbent's commission expires March 2, 1933.

Adam F. Glaser to be postmaster at Herrick, S. Dak., in place of A. F. Glaser. Incumbent's commission expired December 12, 1932.

Charles S. Hight to be postmaster at White River, S. Dak., in place of C. S. Hight. Incumbent's commission expires March 2, 1933.

TEXAS

John A. Noland to be postmaster at Crawford, Tex., in place of J. A. Noland. Incumbent's commission expires February 28, 1933.

Mary P. Vernon to be postmaster at Hermleigh, Tex., in place of M. P. Vernon. Incumbent's commission expires February 28, 1933.

John C. Ray to be postmaster at Hutto, Tex., in place of J. C. Ray. Incumbent's commission expired February 9, 1933.

Fannie Fuqua to be postmaster at Shiro, Tex., in place of Fannie Fuqua. Incumbent's commission expires February 28, 1933.

VIRGINIA

James T. Reely to be postmaster at Middletown, Va., in place of J. T. Reely. Incumbent's commission expired February 8, 1933.

Russell L. Davis to be postmaster at Rockymount, Va., in place of R. L. Davis. Incumbent's commission expired May 26, 1932.

Helen T. Munt to be postmaster at Surry, Va., in place of H. T. Munt. Incumbent's commission expired January 19, 1933.

WASHINGTON

Herbert A. Miller to be postmaster at Stevenson, Wash., in place of H. A. Miller. Incumbent's commission expires February 28, 1933.

WISCONSIN

John W. Kane to be postmaster at Fredonia, Wis., in place of J. W. Kane. Incumbent's commission expired January 29, 1933.

Carl C. Martin to be postmaster at New Lisbon, Wis., in place of C. C. Martin. Incumbent's commission expires February 25, 1933.

Libbie M. Bennett to be postmaster at Pewaukee, Wis., in place of L. M. Bennett. Incumbent's commission expires February 25, 1933.

Albert J. Topp to be postmaster at Waterford, Wis., in place of A. J. Topp. Incumbent's commission expires February 25, 1933.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 10, 1933

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinite Spirit, we rejoice that Thou art eternal light, eternal morning, and eternal noon. We thank Thee that Thou art our Father—the purest, the most just, and the most compassionate God who ever entered the conception of man. May the spirit of our divine Master be breathed into all hearts; let it be diffused so that it shall touch all duty and life. With deep solicitude and earnestness may